

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA, )  
)  
PLAINTIFF, )  
)  
-VS- ) DOCKET NO. 1:18-CR-98-SCJ-LTW  
) VOLUME 1  
MITZI BICKERS, )  
)  
DEFENDANT. )

TRANSCRIPT OF JURY TRIAL  
BEFORE THE HONORABLE STEVE C. JONES  
UNITED STATES DISTRICT JUDGE  
WEDNESDAY, MARCH 9, 2022

APPEARANCES:

ON BEHALF OF THE GOVERNMENT:

JEFFREY W. DAVIS, AUSA  
NATHAN PARKER KITCHENS, AUSA  
TIFFANY RENE DILLINGHAM, AUSA  
KELLY KATHLEEN CONNORS, AUSA  
JACQUI ETIENNE, PARALEGAL  
JONATHAN ROSS, PARALEGAL  
SPECIAL AGENT RICHARD GABRIEL

ON BEHALF OF THE DEFENDANT:

DREW FINDLING, ESQ.  
MARISSA HELEN GOLDBERG, ESQ.  
ZACHARY J. KELEHEAR, ESQ.  
DENISE DELARUE, ESQ.  
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I N D E X

PAGE

VOIR DIRE

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1 (HELD IN OPEN COURT AT 10 A.M.)

2 THE COURT: Good morning to everyone. I want to thank  
3 everyone for being here on behalf of my colleagues and parties in  
4 this case.

5 You noticed when I came in, I removed my mask. I  
6 removed my mask because during the course of this trial, I'm  
7 constantly talking. But each one of y'all are being asked to keep  
8 your mask on unless you're talking or responding to something I  
9 ask you or the lawyers ask you. We do everything possible to make  
10 sure everybody stays as safe as possible. At any point in time  
11 you don't feel comfortable with a situation, please let Mr. Rickey  
12 know and he'll let me know, and we'll deal with it at that time.  
13 I will have my mask on most of the time. I ask everyone else to  
14 keep your mask on.

15 The right to a jury trial is part of one of the most  
16 important parts of our freedoms as an American. You know, some of  
17 the constitutions have said next to voting, it's probably the most  
18 important right that an American or a person in America has. But  
19 in order with that right and freedom to exist everybody has a role  
20 to play. I have a role to play, the lawyers have a role to play,  
21 and you as jurors have a role to play. And in order for that to  
22 work out, everybody has to make sure they meet their obligation.  
23 And y'all have met the first part of it by being here this  
24 morning.

25 Now, what's going to happen for the next hour or hour

1 and a half, or whatever time it takes, I'm going to be asking you  
2 questions and the lawyers are going to be asking you questions.  
3 It is very important that you answer all of the questions that we  
4 ask you openly and honestly. You know, in a lot of countries the  
5 right to a jury trial does not exist. There is somebody appointed  
6 by somebody in a higher level to determine the property rights and  
7 freedoms of people. But here in America, you, the citizens, make  
8 those decisions. But in order to be in that situation, which  
9 we're going to pick 12 jurors and 3 alternates in this case, I  
10 need you to be as open with me and the lawyers as possible. If  
11 somebody asks you a question and you don't feel comfortable  
12 answering from the jury box or from the audience, just raise your  
13 hand and say, Judge, I would rather answer that privately. No  
14 problem whatsoever. We're not here to embarrass you or put you on  
15 the spot. We're just trying to select -- find 12 jurors and 3  
16 alternates to try this case.

17 Now, I anticipate this case is going to take roughly  
18 three weeks to try from today. Okay? That means when I'm asking  
19 you questions and the lawyers are asking you questions, if there  
20 is something I need to know, if you have a nonrefundable airline  
21 ticket for next Wednesday, I just told you it will probably take  
22 three weeks to try, you need to tell me. Let me give you an  
23 example.

24 One month ago, Ms. Viola, Simone and Pamela and I had a  
25 trial jury in the exact same jury room, Mr. Davis and Mr.

1 Findling. And what I just said to y'all I said to that jury, too.  
2 And I picked the jury, and I told them how long it's going to take  
3 for that case to try. And I selected a jury. And right after  
4 opening statements a gentleman raised his hand and he said, Judge,  
5 I am supposed to take my kids to Disneyland on Friday. I said,  
6 okay. And he said, I know you wouldn't make a man miss going to  
7 Disneyland with his kids. And you know what I said? Yes, I am.  
8 Something in the world was on his side because that case happened  
9 to finish in time for him to take his kids to Disney World.  
10 However, if that case had not finished on time, he was going to  
11 sit in that box. And I fully expected him to pay attention and do  
12 everything he is supposed to do.

13 Now, most people will tell you that Steve Jones is not a  
14 hard guy to get along with, but if there is something you need to  
15 tell us, you need to tell us. You need to answer the questions  
16 honestly that they ask you and completely.

17 Now, with that stated, again, I anticipate this case is  
18 going to take about three weeks to try. You keep that in mind as  
19 you answer the questions from the lawyers. But also keep in mind,  
20 you have a role. The freedom that we have in America means you  
21 have a role. And that role is to make sure that a jury trial is  
22 available for everybody. I have a role, the lawyers have a role,  
23 and you have a role.

24 With that stated, Ms. Wright, call the case for today.

25 THE DEPUTY CLERK: Yes, sir. The Court calls for trial

1 the matter of the United States of America v. Mitzi Bickers,  
2 Criminal Case No. 1:18-cr-98-SCJ.

3 THE COURT: How does the government announce, Mr. Davis?

4 MR. DAVIS: Your Honor, the United States is ready.

5 THE COURT: Thank you. How does the defense announce?

6 MR. FINDLING: Your Honor, the defense is ready to  
7 proceed.

8 THE COURT: Okay. Now, ladies and gentlemen, at this  
9 time I'll allow Mr. Davis to introduce himself and whoever is  
10 working for him, and then I'll allow Mr. Findling to announce  
11 himself and whoever works for him, and then I will proceed with  
12 questions.

13 MR. DAVIS: Good morning, everyone. My name is Jeff  
14 Davis. I'm from the United States Attorney's office. Along with  
15 me is Tiffany Dillingham and Nathan Kitchens also from the U.S.  
16 Attorney's Office. Andrew Benjamin, he's from the FBI, and  
17 assisting us today are Richard Gabriel and Jonathan Ross.

18 THE COURT: Thank you, Mr. Davis. Mr. Findling.

19 MR. FINDLING: Thank you, Your Honor.

20 Good morning. I'm Drew Findling. Along with me today  
21 are attorneys Marissa Goldberg, our client Pastor Mitzi Bickers,  
22 attorneys Zachary Kelehear, Alexis Ahlzadeh, and attorney Denise  
23 Delarue.

24 Thank you, Your Honor.

25 THE COURT: Thank you, Mr. Findling.

1           Now, ladies and gentlemen of the jury, most of you all  
2 came in last Thursday and today. Anyone not receive an oath for  
3 this week for trial? Did you not receive an oath, please raise  
4 your hand.

5           You didn't receive an oath? Everybody who did not  
6 receive an oath, please stand up. Ms. Wright is going to  
7 administer an oath to you. I have it right here, Ms. Wright.  
8 Please raise your right hand.

9           THE DEPUTY CLERK: Do you solemnly swear to truthfully  
10 answer all questions that shall be asked of you touching your  
11 qualifications as a prospective juror in this case now called for  
12 trial, so help you God? If you so agree, please say I do.

13           (All confirmed.)

14           THE COURT: Thank you all. Thank you, Ms. Wright.

15           Now, ladies and gentlemen, I have some questions for all  
16 of y'all. If any of these questions pertain to you, I ask you to  
17 raise your hand and keep your hand raised so I can acknowledge  
18 you.

19           Does any member of the panel know the United States  
20 Attorney Kurt R. Erskine?

21           There is no response.

22           Does any member of the panel know assistant United  
23 States Attorneys Jeffrey Davis, Nathan Kitchens, Kelly Kathleen  
24 Connors, Tiffany Renee Dillingham, Jacqui Etienne, Jonathan Ross,  
25 Richard Gabriel -- and not -- all these people are not United

1 States attorneys, some of them are staff, or Special Agent Marc  
2 Benjamin? If so, please raise your hand. Let the record reflect  
3 no one raised their hand.

4 Does any member of the panel know any of the employees  
5 of or has any member of the panel or their immediate family worked  
6 for the United States Attorney's Office for the Northern District  
7 of Georgia or for any United States Attorney's office?

8 There is no response.

9 Does any member of the panel know defense attorneys Drew  
10 Findling, Marissa Goldberg, Alexis Ahlzadeh, Denise Delarue, and  
11 Zachary J. Kelehear?

12 There is no response.

13 Does any member of the panel know any employees of or  
14 has any member of the panel or their immediate family worked for  
15 the Drew Findling law firm?

16 There is no response.

17 Does anyone know or has anyone ever met Pastor Mitzi  
18 Bickers?

19 Pastor Bickers, stand up, please.

20 Thank you, ma'am.

21 There is no response.

22 Does anyone know any of the following individuals who  
23 may be witnesses in this case? Mr. Davis, I will ask you to read  
24 out the case of potential witnesses. Now, members of the jury,  
25 the names that Mr. Davis will read now, it does not mean these



1 people, all these people are going to be called as witnesses, but  
2 they are potential witnesses.

3 MR. DAVIS: Yes, Judge. Jackie Anderson Woods, Michael  
4 Ayo, Andrew Marc Benjamin, Sabrina Black, Diedre Verdier, Thomas  
5 Weyandt, Kim Bracey, Keyla Jackson, Mark Stafford, Rita Braswell,  
6 Stephanie Coleman, Ralph Dahlgren, Kim Spell-Fowler, Matthew  
7 Davis, Kristy Fuentes, William Gant, Gail Hanscom, Nina Hickson,  
8 Sharon Hixon, Jon Keen, Jimmy Kirby, Richard Leary, Deborah Lanon,  
9 Cotena Alexander, Sean Barnes, Jordan Hillman, William Marshall,  
10 Richard Mendoza, Elvin R. Mitchell, Sharon Patterson, Janene  
11 Tillman, Greg Von Wynn, Danielle Nichols, Shedreka Poole, Melvin  
12 Priester, Mike Winfrey, Tony Yarber, Rickey Williams, Jackie  
13 Velardo, Tammy Willingham, Lisa Reed, Chana Tate, John Relyea,  
14 Charles P. Richards, Adrienne Richardson, Andrew Jenkins, Anthony  
15 Brister, Ashby Foote, Candice Byrd, Dana Sims, Albert Bantley,  
16 Charles Davis, Robert Walker, or Robbi Jones?

17 THE COURT: Thank you, Mr. Davis.

18 MR. DAVIS: Yes, sir.

19 THE COURT: May the record reflect -- yes, ma'am.

20 PROSPECTIVE JUROR: I know a Sharon Patterson, but --

21 THE COURT: Please stand up. State your name.

22 PROSPECTIVE JUROR: Lysa Moore.

23 THE COURT: Who is the person you think you know?

24 PROSPECTIVE JUROR: Sharon Patterson.

25 THE COURT: How do you know Sharon Patterson?

1 PROSPECTIVE JUROR: Mother to a childhood friend.

2 THE COURT: At some point in time, the lawyers may ask  
3 you something more about it.

4 PROSPECTIVE JUROR: Okay.

5 THE COURT: Thank you, ma'am.

6 Is there any member of the panel that has any special  
7 disability or problem that would make serving as a member of this  
8 jury difficult or impossible?

9 There is no response.

10 Does any juror hold any belief, religious or otherwise,  
11 which discourages or prevents jury service?

12 There is no response.

13 If you are selected to sit on this case, will you be  
14 able to render a verdict solely on the evidence presented at the  
15 trial and in the context of law as I will give you in my  
16 instructions? If not, please raise your hand. There was no  
17 response.

18 Mr. Davis, Mr. Findling, I place the first jurors upon  
19 you. You can proceed with your voir dire questions, Mr. Davis.

20 MR. DAVIS: Yes, sir.

21 MR. KITCHENS: Good morning, thank you all for being  
22 here. We truly do appreciate all your service. And as Judge  
23 Jones noted, we do have a few questions for you.

24 A number of you stated from your questionnaires that you  
25 may have seen some possible news items regarding this case. And

1 some of you expressed some opinions based on your review of that,  
2 which we appreciate and I know the defense appreciates that as  
3 well.

4 I do want to clarify a few things before I ask some  
5 questions to some of you individually.

6 First, former Mayor Kasim Reed is not on trial here, and  
7 he will not be a witness in this case. The only defendant in this  
8 case is Pastor Mitzi Bickers.

9 Second, although you may have read some general news  
10 articles or seen some TV news related to this case, you'll be  
11 hearing actual evidence in this case. And sometimes what the  
12 evidence is may be much different from what you would have seen or  
13 heard in the news. If you have seen anything in the news that is  
14 not evidence, the judge will instruct you not to consider it.

15 Third, in your questionnaires you were asked to express  
16 some opinions about women being pastors, or pastors, you know,  
17 being of a certain sexual orientation. That will also not be an  
18 issue in this case. Given those statements, I want to ask some of  
19 you some individual questions based on review of our  
20 questionnaires. Just given our time, I'm not going to have the  
21 ability to ask questions to each of you. I apologize about that.  
22 Please do forgive me if I don't have a chance to reach out to  
23 everyone.

24 Mr. Cassell, a few questions for you. You indicated you  
25 had some opinions about the IRS. Would you please tell us a

1 little bit more about your opinions?

2 PROSPECTIVE JUROR: Sure. I've had some folks work for  
3 them. So I hear a lot of inner stories of what's going on. I  
4 don't have the most positive impression. I wouldn't say it is  
5 extremely negative, but it's not the most positive either. I  
6 think I start from the point of maybe there are some things that  
7 have gone on that I may be concerned about.

8 MR. KITCHENS: If someone were to testify that works for  
9 the IRS, would that affect your ability -- would you judge that  
10 person's credibility?

11 PROSPECTIVE JUROR: I would say minimally, but slightly.  
12 I think I would have a bias that I may not want to believe it, if  
13 I'm being fully honest.

14 THE COURT: Say that again? I didn't hear you. You  
15 have what?

16 PROSPECTIVE JUROR: I think I would have a little bit of  
17 a bias and it would be difficult to believe them. I might start  
18 with that, if I'm being fully honest. I would like to say that I  
19 wouldn't, but I think I probably would.

20 MR. KITCHENS: Thank you, sir. Ms. Files, a few  
21 questions for you. We're on the same row.

22 PROSPECTIVE JUROR: Brittany Files.

23 MR. KITCHENS: Thank you, Ms. Files. Ms. Files, on your  
24 questionnaire you indicated some opinions about prosecutors and  
25 your general views about prosecutors. Can you tell us a little

1 bit more about your feelings about prosecutors?

2 PROSPECTIVE JUROR: I have some -- like, a close family  
3 friend who is in prison for murder over a self-defense case, and  
4 there was a lot of -- kind of corruption going on with that case.  
5 There was evidence covered up. One of the victims, or victims I  
6 say in quotes, because they attacked him who had a grandfather, I  
7 believe, that worked for the DA and they covered up a lot of  
8 evidence. So I just kind of have -- I wouldn't say it's overall  
9 negative, but I'm a little bit skeptical of a lot of stuff. I do  
10 think there is a lot of corruption that goes on in any kind of  
11 government. So, yeah, I don't think it's overly negative, but I  
12 do think I'm skeptical of a lot of things.

13 MR. KITCHENS: I appreciate you mentioning that case.  
14 How long ago did that happen?

15 PROSPECTIVE JUROR: So he's been in jail for about ten  
16 years, maybe a little bit longer. I was pretty young when it  
17 happened. But he's -- I think he was convicted when he was, like,  
18 19 and he's in his 30s now. So he has been in prison for that  
19 long, and his family has been fighting it for now over a decade.  
20 There is just, like, constant covering of stuff, and he hasn't  
21 been able to get a fair trial.

22 MR. KITCHENS: So I understand that would have been a  
23 difficult experience, particularly when you're young to see  
24 something like that. Has that -- can you tell us a little bit  
25 more about your feelings ten years after? Do you still feel

1 fairly, you know -- have feelings about the prosecution and the  
2 government based on how that case was handled?

3 PROSPECTIVE JUROR: Yeah. I mean, it's -- it's really  
4 hard, because, like, his parents are close friends of my parents  
5 and we see them -- I see them pretty frequently and they're always  
6 talking about, like, how difficult it is and how -- they've been  
7 in court -- it's just been constant. And, like, it's just been --  
8 I don't know. I'm just very -- I think as I've gotten older and  
9 I've understood more of what's going on, I think that I have been  
10 more skeptical. When it happened, I was, like, nine or ten. I  
11 kind of understood, but now that I've gotten older and my parents  
12 have told me more and my family friends have told me more about  
13 what goes on, and I think I just have a better understanding now.  
14 So, yeah, I think, if anything, I'm definitely -- I feel more  
15 strongly about it now than I did previously.

16 MR. KITCHENS: Okay. And given those stronger feelings  
17 that have gotten stronger over time, do you feel that there may be  
18 a case not involving the criminal justice system that may be more  
19 appropriate for you?

20 PROSPECTIVE JUROR: Like in terms of me being a juror?  
21 I don't know. I think it definitely depends on what the crime is.  
22 But I think overall I just have kind of a scepticism of the  
23 justice system in particular. Like, I just think that, you  
24 know -- I mean, a lot of it is stuff that I see on the news of  
25 like cases. And, obviously, I don't see all of the evidence, but

1 I get -- I have my own opinions about a lot of things that go on  
2 in the justice system, and I think that a lot of times there's a  
3 lot of bias that goes into things, especially against, like,  
4 minorities and -- I don't know. I think I just am skeptical, and  
5 I think any case would be bringing a little bit of bias into it.

6 MR. KITCHENS: All right. Well, thank you, Ms. Files.

7 Ms. Nguyen, while we're own on the same row, just a few  
8 questions for you.

9 Based on the description of what this case may involve,  
10 I think you had expressed some opinions. Given my statement that  
11 I made at the beginning, would you want to hear all of the  
12 evidence before you would reach any sort of judgment in this case?

13 PROSPECTIVE JUROR: Yes, because I think it's kind of --

14 THE COURT: Take your mask off or you can keep it.

15 PROSPECTIVE JUROR: Can I keep it on?

16 THE COURT: Okay.

17 PROSPECTIVE JUROR: Thank you. But, yeah, I think it's  
18 important to hear all of the evidence, both sides before you come  
19 to, like, a sound conclusion.

20 MR. KITCHENS: And the Judge in this case is going to  
21 provide instructions about the law and the evidence. Do you think  
22 you could follow those instructions that are provided by the  
23 Judge?

24 PROSPECTIVE JUROR: Yes.

25 MR. KITCHENS: Given the statements and the instructions

1 that the Judge may provide, do you feel that you could be a fair  
2 and impartial juror in this case?

3 PROSPECTIVE JUROR: Umm, probably.

4 THE COURT: I didn't hear you. What?

5 PROSPECTIVE JUROR: Probably.

6 I don't really have like a solid answer for that,  
7 because I don't know what is going to happen in the future.

8 THE COURT: It's not a question of what is going to  
9 happen.

10 PROSPECTIVE JUROR: He's asking me if I believe I can  
11 make a fair judgment, and I suppose I could.

12 THE COURT: Here is the question: Can you listen to the  
13 evidence presented in this case and then the charge of the law I  
14 will give you and render a verdict based on the evidence you hear  
15 in this courtroom and the law I give you? Can you do that?

16 PROSPECTIVE JUROR: Yes.

17 MR. KITCHENS: All right. Thank you, Ms. Nguyen.

18 THE COURT: Ms. Respress, I have a few questions for  
19 you.

20 PROSPECTIVE JUROR: Do I have to state my name?  
21 Whyeethia Respress.

22 MR. KITCHENS: Thank you.

23 PROSPECTIVE JUROR: You're welcome.

24 MR. KITCHENS: I think you noted that you have had a  
25 past negative experience involving your family with the criminal



1 justice system.

2 PROSPECTIVE JUROR: Yes.

3 MR. KITCHENS: Can you tell us a little bit more about  
4 your perspective based on that.

5 PROSPECTIVE JUROR: Yes. I start off by saying that my  
6 family and I do believe in justice. My brother committed murder.  
7 And where my belief in the or my choice in the justice system  
8 failed me and my family was because a lot of the evidence was  
9 covered. And my brother was -- he was pretty young, and we feel  
10 like the book was being thrown at him. And I am a pretty  
11 inquisitive person. So I researched some other related cases.  
12 And what the judge rendered was because the deceased was not able  
13 to defend herself, she would not allow certain evidence to be  
14 heard in the courtroom. So it was another case that I researched.  
15 And I think it was Lorraine Scott, and she murdered her husband.  
16 And that judge allowed a lot of evidence to be heard, although the  
17 deceased was not able to defend himself. So that's where my  
18 distrust was in his case. And I think it was because Lorraine  
19 Scott was a Caucasian woman and my brother is an African-American  
20 male.

21 MR. KITCHENS: I can understand that, obviously, would  
22 be a very difficult experience. How long ago was that?

23 PROSPECTIVE JUROR: To date, 14-and-a-half years ago.

24 MR. KITCHENS: And how have your feelings about that --  
25 can you tell us a little bit more about your feelings?

1 THE CLERK: Yeah, my feelings still stay the same. As I  
2 said before, we still believe in justice. And we did not expect  
3 him to be released. We expected him to serve his time, but just  
4 with a fair trial. Things were overturned. So his sentence was  
5 reduced, and we were grateful for that. So I feel better, you  
6 know, about the final outcome. But just the initial trial.

7 MR. KITCHENS: I think you expressed as part of the  
8 distrust, I think you mentioned that you had the opinion that  
9 prosecutors do whatever it takes to win. Could you tell us a  
10 little bit more about that opinion?

11 PROSPECTIVE JUROR: Yes. I think everyone has a job to  
12 do. And the prosecutor's job is to win their case, you know, and  
13 that's my opinion. You're going to take all of the evidence and  
14 persuade, you know, people to hear from the side of the  
15 prosecutor. So it's a job.

16 MR. KITCHENS: Given kind of your experiences and your  
17 perspective, do you think that would impact how you may view the  
18 government's case in this matter?

19 PROSPECTIVE JUROR: It doesn't. Because evidence is  
20 evidence, you know. I'm kind of a black and white person. So you  
21 know, evidence is evidence. And I just believe in justice being  
22 served on whichever side.

23 THE COURT: Mr. Kitchens, I have a question.

24 When you say you have a distrust in the system, what  
25 part do you distrust?

1 PROSPECTIVE JUROR: The part that I distrust is will I  
2 truly have all of the evidence that needs to be presented in order  
3 for me to make a sound decision. So that's the part that I  
4 distrust.

5 THE COURT: You understand during the course of a trial  
6 in a criminal case, the burden of proof rests with the government  
7 to prove beyond a reasonable doubt the charge or charges against  
8 the defendant.

9 PROSPECTIVE JUROR: I do. However, I think it matters,  
10 because it determines the sentence that will be rendered. In my  
11 brother's case, if I could just say, the jury had a choice to  
12 charge him with malice murder versus manslaughter. And given the  
13 fact that some of the evidence was not presented and the judge did  
14 not allow it, it was a matter of how much time he really would  
15 have been able to serve -- and even added the death penalty, if  
16 they chose to. So that's where my mistrust comes in when I talk  
17 about whether or not all of the evidence will be presented.

18 THE COURT: How do you determine whether or not all of  
19 the evidence has or will be presented?

20 PROSPECTIVE JUROR: I can't determine, but I was present  
21 every day of his trial.

22 THE COURT: But if you're ask to sit as a juror in this  
23 case -- in other words, I'm going to give you the confinements of  
24 the law that you have to follow.

25 PROSPECTIVE JUROR: Okay.

1 THE COURT: My question is, are you going to move  
2 outside of those confines of what I tell you and make decisions  
3 based on what you think is right, or are you going to stay within  
4 the confine of the laws that I give you?

5 PROSPECTIVE JUROR: So with my personality, everything  
6 must make sense and align.

7 THE COURT: You would go outside of those confinements I  
8 give you?

9 PROSPECTIVE JUROR: Well, I'm going to do what is asked.

10 THE COURT: Here is the question.

11 PROSPECTIVE JUROR: Okay.

12 THE COURT: I and I alone will tell the jury what the  
13 law is.

14 PROSPECTIVE JUROR: Okay.

15 THE COURT: And that jury and juror is required to stay  
16 within those confinements I give you. It's nothing wrong if you  
17 say I don't know if I can do that or I can't do that, but at this  
18 point in time I need to know.

19 PROSPECTIVE JUROR: Yes, I don't. I mean, to be honest  
20 with you, I don't know I can honestly do that.

21 THE COURT: I appreciate your honesty. That's why we do  
22 that. I respect you. I appreciate your honesty. Thank you,  
23 ma'am.

24 MR. KITCHENS: Thank you.

25 PROSPECTIVE JUROR: You're welcome.

1 MR. KITCHENS: Ms. Anderson. I think over here.

2 PROSPECTIVE JUROR: Sherry Anderson.

3 MR. KITCHENS: Thank you, Ms. Anderson. Ms. Anderson,  
4 in your questionnaire you expressed some religious beliefs about  
5 your ability to judge another person. Could you tell us a little  
6 bit more about that?

7 PROSPECTIVE JUROR: With religion -- I am a minister.  
8 So my thing is that God will judge everyone. I can be truthful  
9 about everything, if evidence is given, I can be truthful with it,  
10 but me giving a verdict -- I mean, not a verdict, a decision, I  
11 don't think I could.

12 MR. KITCHENS: So if you were presented with the law  
13 and/or instructed by Judge Jones to apply the law and the facts  
14 and then render a verdict of guilty or not guilty, do you think  
15 based on your religious beliefs you would be able to do that?

16 PROSPECTIVE JUROR: No.

17 MR. KITCHENS: Okay. Thank you, again, for your  
18 honesty, Ms. Anderson.

19 Mr. Gillis.

20 PROSPECTIVE JUROR: I'm Joe Gillis.

21 MR. KITCHENS: Mr. Gillis, I think you indicated in your  
22 questionnaire that in the past or maybe currently you've done some  
23 work with a company AECOM.

24 PROSPECTIVE JUROR: Yes, I have been working at AECOM  
25 for five years.

1 MR. KITCHENS: Would you tell us a little more about  
2 your work.

3 PROSPECTIVE JUROR: Sure. I'm a project manager, and  
4 I'm currently on a project doing road projects and around Columbus  
5 around toward Valdosta, Tifton, Lake Cross.

6 MR. KITCHENS: In this case you may hear some evidence  
7 regarding AECOM and potentially evidence that Pastor Bickers was  
8 working with -- working with -- as part of a team with AECOM to  
9 try to get some work. Would that impact in any way your ability  
10 to be a juror?

11 PROSPECTIVE JUROR: No, I'll follow the instructions of  
12 the Court and do what I was supposed to do.

13 MR. KITCHENS: Mr. -- is it Mr. Blount?

14 PROSPECTIVE JUROR: Bobby Blount.

15 MR. KITCHENS: Mr. Blount, good morning.

16 PROSPECTIVE JUROR: Good morning.

17 MR. KITCHENS: I think in your questionnaire you  
18 expressed some opinion about your views about corruption in the  
19 city and Mayor Reed as well. Given the statement I made at the  
20 beginning about Mayor Reed not being on trial, not being a  
21 witness, do you think you would be able to keep an open mind in  
22 this case?

23 PROSPECTIVE JUROR: I would.

24 MR. KITCHENS: Would your opinions about corruption in  
25 the city or Mr. Reed in any way -- would it impact your ability to

1 be a fair and impartial juror in this case?

2 PROSPECTIVE JUROR: It would not. I would do my best to  
3 be fair in that.

4 MR. KITCHENS: May I speak with, Ms. Tucker.

5 PROSPECTIVE JUROR: Susan Tucker.

6 MR. KITCHENS: Ms. Tucker, in your questionnaire you  
7 expressed an opinion about -- if public servants do things for  
8 personal gain, that you may have to, you know, be convinced that  
9 that's not the case. As the judge will instruct you, it's the  
10 government's burden to prove anything in this case. It's not the  
11 defense's burden to disprove anything. They do not have to prove  
12 anything in this case on the defense side. Would you be able to  
13 follow that instruction?

14 PROSPECTIVE JUROR: I would.

15 MR. KITCHENS: And would your -- given the statements  
16 that I made in the beginning regarding, you know, opinions and the  
17 fact that -- being a woman pastor or a pastor of a certain sexual  
18 orientation is not going to be an issue in this case, would you be  
19 able to be fair and impartial in this matter?

20 PROSPECTIVE JUROR: I would. It's not my place to  
21 judge.

22 MR. KITCHENS: Would that have an impact on how you  
23 would view the government's evidence or any evidence presented by  
24 the defendant?

25 PROSPECTIVE JUROR: I would hope not.

1 MR. KITCHENS: And Ms. Alsobrook.

2 PROSPECTIVE JUROR: Lana Alsobrook.

3 MR. KITCHENS: Ms. Alsobrook, given kind of, again, the  
4 statements that I made at the beginning about this case and the  
5 fact that anything you may have read is not evidence, not anything  
6 that you can consider as part of your judgment, and given that you  
7 have not yet heard any evidence in this case, would you be able to  
8 keep an open mind in listening to the evidence that's presented?

9 PROSPECTIVE JUROR: Yes.

10 MR. KITCHENS: Would you be able to follow the judge's  
11 instructions regarding the law?

12 PROSPECTIVE JUROR: Absolutely.

13 MR. KITCHENS: And would you be able to be a fair and  
14 impartial juror applying the law to the evidence that's presented  
15 in this case?

16 PROSPECTIVE JUROR: Yes.

17 MR. KITCHENS: I think my time is up, Your Honor.

18 THE COURT: Thank you.

19 You have two minutes. Ms. Wright is the official  
20 timekeeper. You can give up your two minutes, if you would like.

21 You have a minute-and-a-half now. Thank you, Mr.  
22 Kitchens.

23 MR. KITCHENS: I think we'll yield our time.

24 THE COURT: The clock on my left is the one for the  
25 government, and the one on the right is for the defense. But Ms.



1 Wright keeps up with it, and I assure you when your time is up,  
2 you'll hear from her.

3 Also, when I'm questioning the jurors, she turns it off.

4 MR. KITCHENS: I see.

5 THE COURT: So that's why it went faster on your part.

6 MR. FINDLING: Good morning.

7 As you can imagine right from the beginning, I'm going  
8 to disagree with my colleagues from the government. The issue of  
9 somebody's sexual orientation and that role they may play,  
10 perhaps, as being a pastor while being gay, some people just may  
11 have an inclination to hold that against them. And when you're  
12 standing here and the case is before 12 people, it's always an  
13 issue. So I hope you understand that.

14 And so I don't mean to single anybody out, but I'm going  
15 to follow up with my questions a little bit differently. And I'm  
16 going to start off with Ms. Kendrick.

17 So, Ms. Kendrick, you had indicated --

18 PROSPECTIVE JUROR: Allexus Kendrick.

19 MR. FINDLING: Thank you. You had indicated that,  
20 perhaps, if someone is a gay pastor, that they would answer to  
21 God. Can you tell me what you mean by that?

22 PROSPECTIVE JUROR: I was just saying that I can't judge  
23 anyone for being gay. If she wants to be a pastor, and she wants  
24 to tell everyone about God, or if she wanted to -- well, I can't  
25 judge her at the end of the day. If she wants to be a pastor, and

1 she decided that she wants to be a woman, that has nothing to do  
2 with me or anybody else. And God is the one that she will have to  
3 answer to.

4 MR. FINDLING: Thank you for expressing that. And then  
5 I'll follow-up -- thank you so much.

6 Ms. Tucker, you had indicated that being a gay pastor,  
7 perhaps, violates biblical teaching. Can you explain to me your  
8 thought on that?

9 PROSPECTIVE JUROR: I feel like the lifestyle defies  
10 what I believe -- what Christians believe. So that's it.

11 MR. FINDLING: Okay. I didn't hear that last part of  
12 her answer.

13 PROSPECTIVE JUROR: It just defies my Christian beliefs.  
14 It goes totally against them.

15 THE COURT: Well, would it affect you if were asked to  
16 serve on this jury, to render a verdict based on the evidence that  
17 you will hear and the exhibits admitted during the course of the  
18 trial and the law I give you, and can you render a verdict based  
19 on that?

20 PROSPECTIVE JUROR: I would do my very best to do so.

21 THE COURT: And can you be fair and impartial to the  
22 defendant in this case?

23 PROSPECTIVE JUROR: I would do my very best to do so.

24 THE COURT: Can you put any beliefs you have aside if  
25 you are asked to sit as a juror and render a fair and just verdict

1 based on the evidence and the law?

2 PROSPECTIVE JUROR: As I say, I would do my very best to  
3 do so.

4 MR. FINDLING: Mr. Pelayo, I'm going to be pretty quick.

5 PROSPECTIVE JUROR: Gabriel Pelayo.

6 MR. FINDLING: Mr. Pelayo, you have indicated that you  
7 are going to be on vacation from the 12th through the 24th?

8 PROSPECTIVE JUROR: Yes, of this month.

9 MR. FINDLING: And so that is a paid vacation?

10 PROSPECTIVE JUROR: Yes. I have a flight booked for  
11 this Saturday, and it's through the 20th.

12 MR. FINDLING: Well, as I indicated to my colleagues  
13 from the government, my wife would love for me to take two weeks  
14 off and join you in California. I'll cease asking questions. I  
15 appreciate you sharing that information with us.

16 PROSPECTIVE JUROR: Thank you.

17 MR. FINDLING: Mr. Blount.

18 PROSPECTIVE JUROR: Bobby Blount.

19 MR. FINDLING: And you have indicated to us that you  
20 have a lot of deadlines because of work.

21 PROSPECTIVE JUROR: Yes.

22 MR. FINDLING: Can you please explain that to us?

23 PROSPECTIVE JUROR: I work for a school district, North  
24 Georgia, and we are going what they call Cognia accreditation.  
25 It's every five years. The district goes through a review of the

1 practices, governance and things like that. And I'm the CIO over  
2 the technology department. So I typically have to be there to  
3 answer the questions with the rest of the cabinet, the members  
4 that report directly to the superintendent.

5 MR. FINDLING: And when is that supposed to take place?

6 PROSPECTIVE JUROR: The process has already begun.  
7 Cognia is actually reviewing the materials we've submitted. They  
8 will begin doing their online business with us March 28. So we  
9 are still curating resources and everything for them. We're also  
10 in the budgeting process.

11 So as of Friday, I'm presenting a \$10 million budget to  
12 my boss in theory, so... But if not --

13 MR. FINDLING: Realistically, would you be able to take  
14 a three-week pause?

15 PROSPECTIVE JUROR: It is going to be challenging. It  
16 would be very, very difficult, so...

17 MR. FINDLING: Thank you.

18 Mr. Walbert.

19 PROSPECTIVE JUROR: Donald Walbert.

20 MR. FINDLING: Mr. Walbert, have you participated in  
21 any -- I know you're a contractor, any government contract with  
22 the state or local governments?

23 PROSPECTIVE JUROR: No.

24 MR. FINDLING: Okay. And have you ever been in a  
25 position where you've had to deal with competitive -- with

1 minority participation issues in contracting?

2 PROSPECTIVE JUROR: No. I'm a subcontractor.

3 MR. FINDLING: Okay.

4 PROSPECTIVE JUROR: I don't deal with any policies or  
5 situations like that.

6 MR. FINDLING: Okay. So all of your work goes -- you  
7 respond to the GC in a case?

8 PROSPECTIVE JUROR: (Witness nods head.)

9 MR. FINDLING: And I take it, you rely on the GC to  
10 timely pay you and issues like that?

11 PROSPECTIVE JUROR: Yes.

12 MR. FINDLING: Thank you, sir.

13 Mr. Wright.

14 PROSPECTIVE JUROR: Alfred Wright.

15 MR. FINDLING: Mr. Wright, you had indicated that  
16 minorities have less resources to defend themselves. Can you  
17 define what you mean by less resources?

18 PROSPECTIVE JUROR: I just feel like minorities as a  
19 whole -- when I say resources, I'm talking about finances to be  
20 able to defend themselves. So, you know, you get caught up in a  
21 system that you can't even pay proper lawyers to take care of you  
22 or to help you. It goes wrong really fast.

23 MR. FINDLING: Okay. Thank you. Thank you. I  
24 appreciate it.

25 Mr. Cassell.

1 PROSPECTIVE JUROR: David Cassell.

2 MR. FINDLING: I'm sorry. Mr. Cassell, you just heard  
3 that answer from Mr. Wright. What's your response to his -- what  
4 he just shared with us about minorities having less resources in  
5 our system to defend themselves?

6 PROSPECTIVE JUROR: I think that's accurate.

7 MR. FINDLING: All right. Thank you.

8 Ms. Respress. Did I pronounce that correctly?

9 PROSPECTIVE JUROR: Yes, you did.

10 MR. FINDLING: Okay, thank you.

11 PROSPECTIVE JUROR: Whyeethia Respress.

12 MR. FINDLING: You had indicated that you had a  
13 fraudulent tax preparer.

14 PROSPECTIVE JUROR: Yes.

15 MR. FINDLING: If you can -- was that an accountant or  
16 just like a bookkeeper tax preparer?

17 PROSPECTIVE JUROR: Like a bookkeeper, yes.

18 MR. FINDLING: Not a CPA?

19 PROSPECTIVE JUROR: I really don't know.

20 MR. FINDLING: Okay. And it seems like from looking at  
21 your questions, you have a good comprehension of tax-related  
22 issues?

23 PROSPECTIVE JUROR: Yes.

24 MR. FINDLING: Okay. And I think you had indicated you  
25 understood what a Form 8300 is?

1 PROSPECTIVE JUROR: Yes.

2 MR. FINDLING: Okay. So you would understand cash  
3 reporting requirements?

4 PROSPECTIVE JUROR: Yes.

5 MR. FINDLING: Okay. And so I take it that from your  
6 standpoint, it takes a level of sophistication and business acumen  
7 to understand that concept?

8 PROSPECTIVE JUROR: Absolutely.

9 MR. FINDLING: All right. Thank you. I appreciate  
10 that. Thank you.

11 Oh, I also have another question for you. Sorry.

12 You have indicated that the department -- you think the  
13 Department of Justice makes mistakes in cases at times. Can you  
14 elaborate on that for just a quick second?

15 PROSPECTIVE JUROR: I'm sorry, can you repeat that?

16 MR. FINDLING: You indicated that you think the  
17 Department of Justice, DOJ, makes mistakes from time to time in  
18 cases.

19 PROSPECTIVE JUROR: I don't necessarily think they make  
20 mistakes. Maybe I was just referring to all the evidence being  
21 presented. But I believe -- and I'm sorry if I wrote that.

22 MR. FINDLING: It's okay.

23 PROSPECTIVE JUROR: I don't think they make mistakes. I  
24 just believe that some things can be  
25 unintentional -- unintentionally or intentionally left out.

1 MR. FINDLING: Okay. Thank you.

2 PROSPECTIVE JUROR: You're welcome.

3 MR. FINDLING: Ms. Simmonds.

4 PROSPECTIVE JUROR: Ashley Simmonds.

5 MR. FINDLING: You had indicated that you at one point  
6 saw a co-worker take something from a drawer and, in fact, follow  
7 through and turned them in.

8 PROSPECTIVE JUROR: Um-hum.

9 MR. FINDLING: Did that lead to a prosecution?

10 PROSPECTIVE JUROR: No. It was just like a petty theft  
11 kind of thing.

12 MR. FINDLING: Okay. But you apparently took the  
13 initiative to observe it and let people know what you saw?

14 PROSPECTIVE JUROR: Right, because at the end of the  
15 day, we were responsible for the cash register. So if I didn't  
16 say something, it would have been both of us thrown under the bus.

17 MR. FINDLING: Okay. And you had also indicated,  
18 similarly to Ms. Respress, that you're familiar with cash  
19 reporting requirements?

20 PROSPECTIVE JUROR: Um-hum.

21 MR. FINDLING: And is that as a result of work?

22 PROSPECTIVE JUROR: Yes. That, and I also have my  
23 associate's in accounting.

24 MR. FINDLING: Okay. Perfect. Thank you so much.

25 Mr. Gillis.



1 PROSPECTIVE JUROR: Joe Gillis.

2 MR. FINDLING: Mr. Gillis, you had talked to us about  
3 your work with AECOM, but also indicated that you have done some  
4 work in Jackson, Mississippi.

5 PROSPECTIVE JUROR: I did. I was a project manager for  
6 implementing a software system for transportation for Mississippi  
7 Department of Transportation.

8 MR. FINDLING: Okay. And are you familiar with the  
9 consent decree or what is referred to in the newspapers as kind of  
10 their ongoing water disaster for their citizens? They have bad  
11 water.

12 PROSPECTIVE JUROR: The water quality?

13 MR. FINDLING: Yes.

14 PROSPECTIVE JUROR: Yes, I've heard of that. Yes. My  
15 mother used to live in Pearl, Mississippi, right there in  
16 Jackson --

17 MR. FINDLING: Exactly.

18 PROSPECTIVE JUROR: -- and I would visit her, and I  
19 would see TV stuff. I also had other family that lived in and  
20 around Jackson, in some of the suburbs, and I would hear about the  
21 water quality. And I've tasted the water there, too.

22 MR. FINDLING: And it's bad?

23 PROSPECTIVE JUROR: It tasted funny, yeah.

24 MR. FINDLING: Thank you. All right. I appreciate it.

25 Actually, Mr. Gillis, I'm going to follow up to a

1 question I asked earlier.

2 Again, what impact would the sexual orientation of  
3 Pastor Bickers have you on in trying to fairly decide this case?

4 PROSPECTIVE JUROR: I would just listen to the evidence  
5 and base it on that, and the instructions of the Court. That's  
6 not what I'm here -- I'm not here to judge. I'm here to listen to  
7 the evidence.

8 MR. FINDLING: Okay. So the position you took as far as  
9 opposing same sex marriage --

10 PROSPECTIVE JUROR: Right.

11 MR. FINDLING: -- would that impact you?

12 PROSPECTIVE JUROR: It would be the same thing. I'd  
13 listen to the evidence.

14 MR. FINDLING: And would you let that in any way --

15 PROSPECTIVE JUROR: I would not consciously try to do  
16 that, no.

17 MR. FINDLING: Would it stay with you at all?

18 PROSPECTIVE JUROR: What do you mean by stay?

19 MR. FINDLING: Would the feelings, the sentiment you  
20 have about that subject stay with you in any degree?

21 PROSPECTIVE JUROR: I would hope not. I can't guarantee  
22 it wouldn't. But I would hope not. I would rather focus on the  
23 evidence and do my job.

24 MR. FINDLING: Thank you.

25 How is my official timekeeper? How am I doing?

1 THE DEPUTY CLERK: The clock on the right, you're a  
2 little bit past ten minutes.

3 MR. FINDLING: Okay. Thank you.

4 Ms. Files.

5 PROSPECTIVE JUROR: Brittany Files.

6 MR. FINDLING: I believe that you are concerned about  
7 this case lasting three weeks as it might impact you for work.  
8 Can you tell us about that?

9 PROSPECTIVE JUROR: Yes. So I started a new job last  
10 week, and I've been unemployed for three months. So financially  
11 I'm struggling a little bit, and I'm still on my training period  
12 through next week.

13 Additionally, I'm freelance from the company, and I am  
14 trying to be full-time. So I want to make sure I'm there and  
15 putting in the work so they will consider me for a full-time  
16 position. But I also work in news, so I think that -- I mean, I  
17 don't know if they're going to cover it, but, you know, I think  
18 that it could potentially be a conflict of interest. But I  
19 definitely -- the financial situation is my biggest concern.

20 MR. FINDLING: Okay. And is there anything -- we talked  
21 about a bunch of things with you, but is there anything about  
22 Pastor Bickers being a pastor that might adversely impact you in  
23 just sitting and listening to this case and fairly deciding it?

24 PROSPECTIVE JUROR: No, I'm not religious, and I have  
25 had lots of negative experiences with religious people being

1 judgmental, but I do not extend that judgment myself to religious  
2 people as long as they're not judging me for not being religious.  
3 So I don't think I have much of a bias in that sense. Like, I  
4 think that I just judge someone based on their character and  
5 whether or not they go to church.

6 MR. FINDLING: Okay. I appreciate that. Thank you.  
7 And that's a good segue for me to you, Ms. Nguyen.

8 The issue of Pastor Bickers being a pastor, how does  
9 that kind of impact you that a pastor is sitting there charged  
10 with a federal crime?

11 PROSPECTIVE JUROR: I'm not religious or anything, so it  
12 doesn't really bother me. Like, people can commit crimes. They  
13 can be affiliated with a church. They can be anybody. Anyone can  
14 commit a crime. So it doesn't really impact me if she's a pastor  
15 or not.

16 MR. FINDLING: And do you also believe that anybody can  
17 be falsely accused of a crime and be a pastor?

18 PROSPECTIVE JUROR: Yes, I believe anyone can be falsely  
19 accused of a crime.

20 MR. FINDLING: Thank you.

21 Ms. Tucker, I believe you have some travel planned?

22 PROSPECTIVE JUROR: Susan Tucker. I travel for my work.  
23 That's just my normal routine.

24 MR. FINDLING: Okay.

25 PROSPECTIVE JUROR: And so I would be delaying some

1 travel.

2 MR. FINDLING: Okay. And let me go back to Mr. Walden.

3 Again, any issue -- this is for Mr. Walden. No. 14.

4 PROSPECTIVE JUROR: I'm Roy Walden.

5 MR. FINDLING: Mr. Walden, any issue -- you expressed  
6 that you do not agree with anybody that is gay serving in a  
7 pastoral role. How would that impact you in sitting and listening  
8 to this case?

9 PROSPECTIVE JUROR: It would not impact me at all.  
10 That's two different issues. I actually have a brother-in-law  
11 that's gay. So I am familiar with it. Just -- I just don't do  
12 it. I don't agree with it.

13 MR. FINDLING: But what about -- I understand about your  
14 brother-in-law. What about the role of someone that is gay  
15 leading a house of worship?

16 PROSPECTIVE JUROR: That's fine. Whatever people want.

17 MR. FINDLING: All right.

18 THE COURT: Mr. Findling, can I ask a question right  
19 here?

20 MR. FINDLING: Yes, of course.

21 THE COURT: You indicated it would not impact you at all  
22 in the trial. You indicated I think in the questionnaire that you  
23 didn't think a person that is gay should be a pastor. Are you  
24 telling me that you can set that aside and render a verdict based  
25 on the evidence you hear in this case and the law as I will give

1 you, and be fair and impartial to the defendant in this case,  
2 Pastor Bickers?

3 PROSPECTIVE JUROR: Yes, sir.

4 THE COURT: Thank you.

5 MR. FINDLING: No. 18, Ms. Alsobrook.

6 PROSPECTIVE JUROR: Lana Alsobrook.

7 MR. FINDLING: Thank you. You had indicated this kind  
8 of globally. I understand that Kasim Reed is not a witness here,  
9 but, however, there is going to be reference to the years of -- he  
10 is in the administration. So it is an important issue. And you  
11 indicated that Atlanta government is just full of corruption.  
12 How -- can you express your thoughts about that, and how it may  
13 impact us over the next few weeks?

14 PROSPECTIVE JUROR: I think the question was something,  
15 like, do you believe that there was more or less corruption in  
16 Mayor Reed's administration versus any other one, and I said no.  
17 I believe that there is in politics a lot of corruption. I don't  
18 believe that means anybody is individually corrupt. I just think  
19 that things happen and sometimes things happen to get jobs done.

20 As far as this case goes, would those beliefs impact my  
21 ability? I don't think so, because I'm going to follow what the  
22 judge says the law is and look at the evidence that is presented.

23 MR. FINDLING: Okay. Thank you.

24 Ms. Anderson.

25 PROSPECTIVE JUROR: Sherry Anderson.

1 MR. FINDLING: Ms. Anderson, I'm kind of revisiting an  
2 issue. I've been doing this a long time, and I've heard this  
3 sincere answer many times before. I know you've indicated that  
4 your inclination because of your role as minister is not to judge  
5 others. We're asking for a here -- excuse me -- here as a  
6 different type of judgment. I think His Honor eloquently stated  
7 the role of jurors in our system.

8 Would you be able to, however, if you're selected and  
9 you're sitting there, would you be able to listen to the law and  
10 use that sincerity and honesty that you shared with all of us  
11 today, listen to the law and set aside any other inclinations you  
12 have based on what the law is as described by His Honor, not by  
13 the lawyers, thereafter and make a decision one way or the other  
14 in this case?

15 PROSPECTIVE JUROR: It would probably be hard for me,  
16 but I probably could listen but I couldn't say I would give it --

17 MR. FINDLING: So I understand it's hard. Trust me,  
18 after three decades of doing this, it's going to be hard. But  
19 even though it's hard, would you be able to at crunch time set  
20 aside that difficulty and as a citizen be -- under that oath, that  
21 same oath, be able to make a fair decision based on the law as  
22 Judge Jones describes it to you and explains it to you?

23 PROSPECTIVE JUROR: I don't think so.

24 MR. FINDLING: I'm sorry?

25 PROSPECTIVE JUROR: I don't think so.

1 MR. FINDLING: Okay. I appreciate your honesty.

2 Mr. Blount.

3 PROSPECTIVE JUROR: Bobby Blount.

4 MR. FINDLING: You had indicated in one of your answers,  
5 but -- you believe that minority businesses are scrutinized to a  
6 greater degree. Can you explain that?

7 PROSPECTIVE JUROR: Just, you know, just being 57 years  
8 old and trying to experience --

9 THE COURT: Mr. Findling, I'll allow this juror to  
10 finish answering the question, and then your time will be up.

11 MR. FINDLING: Thank you, Your Honor.

12 PROSPECTIVE JUROR: I'm sorry.

13 MR. FINDLING: Go ahead.

14 PROSPECTIVE JUROR: It was just an opinion. I saw the  
15 question, and I just -- it's my -- it's just my thought that some  
16 of the minority-owned business -- it's not based on any direct  
17 experience or anything, just conversation with friends and talking  
18 to people who have tried to, you know, get one up on -- you know,  
19 some success in their lives and everything, the struggles that  
20 minorities may have in establishing businesses. So...

21 MR. FINDLING: Thank you, sir.

22 Your Honor, thank you.

23 THE COURT: Thank you, Mr. Findling. Ms. Wright is  
24 going to give you instructions. Please follow her instructions.

25 THE DEPUTY CLERK: Okay. Go back up to the jury



1 assembly room up on 22 and wait for us there.

2 (Whereupon, the juror panel was excused at 10:56 a.m.)

3 THE COURT: One of the things, Mr. Davis, Mr. Findling,  
4 that I thought about last night, is that we can, if you-all want  
5 to, wait until I question all of the jurors, or after each panel I  
6 can entertain challenges for cause. It doesn't matter which way  
7 you-all want to do it. I thought about it last night. I said,  
8 well, it may be fresh on their minds after each panel. But if  
9 not, usually the way I do it is after we question everybody. But  
10 it doesn't matter to me. I just thought about that.

11 MR. FINDLING: And we did briefly discuss it earlier.  
12 Probably one of us noticed, we stayed away from some bombshell  
13 questions.

14 THE COURT: Thank you.

15 MR. FINDLING: And so we can take it up panel by panel.  
16 I do have a request from Pastor Bickers to use the bathroom.

17 THE COURT: Okay, she has to waive her right to be in  
18 here -- if we take the challenge for cause -- I'll tell you what,  
19 let's just wait -- she can go use the restroom and come back.

20 MR. FINDLING: I think we should do it panel by panel.

21 THE COURT: Mr. Davis, let's let Pastor Bickers use the  
22 restroom, come back. And Ms. Wright, before we bring in the next  
23 panel, and I'll hear the challenges for cause. Let's take a  
24 ten-minute break, and we'll be back here at 5 after 11.

25 (Whereupon, a break was taken at 11 a.m.)

1 THE COURT: Mr. Kitchens, any challenges for cause from  
2 this first panel?

3 MR. KITCHENS: Yes, Your Honor, there are.

4 THE COURT: All right.

5 MR. KITCHENS: First, I believe Juror No. 6,  
6 Ms. Respress, I think she responded in response to your own  
7 questions that she doesn't know if she may even go outside of the  
8 evidence that will be presented because she's got to, you know,  
9 make her own and feel right for what she's doing. She expressed  
10 certainly some strongly-held opinions based on a 14-year-old  
11 trial. So I think she expressed she could not be able to follow  
12 your instructions and be a juror in this case.

13 THE COURT: All right. Mr. Findling, any objection for  
14 that juror being removed for cause?

15 MR. FINDLING: No, Your Honor, I think counsel  
16 summarized it accurately.

17 THE COURT: All right. Juror No. 6 has been removed for  
18 cause.

19 Who is next, Mr. Kitchen?

20 MR. KITCHENS: I'm not sure if you would like us to  
21 address hardship separately, but --

22 THE COURT: Let me tell you about hardships. I'm not  
23 going to remove any juror for hardship unless both sides agree. I  
24 understand there's a vacation, there's somebody with a \$10 million  
25 budget, I've got 79 jurors. Out of 79 jurors everybody has been

1 affected some way by their jobs. If I let one go, why shouldn't I  
2 let another go? So unless the government and the defense agree a  
3 person has a hardship and y'all want to take them off, I'm not  
4 going to take them off.

5 MR. FINDLING: The 14 day --

6 MR. DAVIS: I think that Juror No. 7 is the same one --  
7 I think we would agree.

8 THE COURT: No. 7 -- okay, No. 7, Mr. Pelayo, he has a  
9 vacation. Both sides agree he should be removed. Correct,  
10 Mr. Kitchens?

11 MR. KITCHENS: Correct, Your Honor.

12 THE COURT: And correct, Mr. Findling?

13 MR. FINDLING: I agree.

14 THE COURT: All right, No. 7 is removed.

15 MR. KITCHENS: Your Honor, the next one, Juror No. 11,  
16 she repeatedly -- she also had this negative experience from a  
17 trial from about ten years ago. She expressed that her opinions  
18 got strongly in terms of her concerns that the government was  
19 covering up evidence in that particular matter.

20 She expressed that she would be biased. I think she  
21 used that word several times.

22 She also has expressed kind of a hardship concern. I  
23 haven't had a chance to talk about this with Mr. Findling, but  
24 expressed concern that given her financial state, she would really  
25 be concerned about being a juror in this case since she just got a

1 new job. So I think the combination of the two, it's important to  
2 remove her as well.

3 THE COURT: Mr. Findling?

4 MR. FINDLING: I just don't think she went to the cause  
5 level. I just --

6 THE COURT: She never said she would be biased. She was  
7 asked three times. And as a matter of fact, the only reason why I  
8 did not -- you noticed there were certain times when I intervened,  
9 I didn't intervene on her and one other, because I thought they  
10 were pretty solid, you know.

11 If you still want her, I'll note your objection.

12 Also, she said -- Mr. Kitchens pointed out she may be  
13 just starting a job, you know. Which position do you want to  
14 take? Do you want to take the position that you object to having  
15 her removed, or do you want to agree with Mr. Kitchens that she  
16 should be removed because of a hardship?

17 MR. FINDLING: I just don't think she raised anything  
18 that would require her to be removed for cause or for hardship.

19 THE COURT: Okay. Then I'm going to overrule your  
20 objection, and I'm going to remove her.

21 Who's next?

22 MR. KITCHENS: Okay, our last one, Your Honor, Juror No.  
23 19, she had in response to questions from both us and Mr. Findling  
24 expressed because of her religious belief, she would not be able  
25 to render a verdict. We asked multiple times, and she was clear

1 she would not be able to do that.

2 THE COURT: That's Ms. Anderson, Mr. Findling.

3 MR. FINDLING: Nothing we can say about that. Counsel  
4 is correct.

5 THE COURT: All right. So removed right now is No. 6,  
6 No. 7, No. 11 is removed over objections, and No. 19. Mr.  
7 Findling, who do you challenge for cause?

8 MR. FINDLING: Thank you.

9 Your Honor, I informed counsel earlier, I was not going  
10 to ask Juror No. 10 about one of his questions, although we're  
11 inclined to make it a new moniker for our law firm, defendant law  
12 firm, human filth. He describes criminal defense attorneys as  
13 human filth in a questionnaire. I just wasn't going to question  
14 that.

15 THE COURT: If he said that, he's off.

16 MR. FINDLING: Yeah. And in fairness, we did talk about  
17 that with counsel.

18 THE COURT: Do you object?

19 MR. KITCHENS: We don't object, Your Honor.

20 THE COURT: You can't say stuff like that.

21 MR. KITCHENS: We were joking about a juror that  
22 expressed these kind of opinions about us as well.

23 MR. FINDLING: Get ready.

24 THE COURT: I hope they don't express that same feeling  
25 about the judge.

1 All right, No. 10 is off.

2 Who else, Mr. Findling?

3 MR. FINDLING: One second, Your Honor.

4 THE COURT: I hate to rush you, but we need to move on,  
5 Mr. Findling. The defense has no further --

6 MR. FINDLING: No.

7 THE COURT: All right. Then Ms. Wright can bring in the  
8 next 20.

9 Let me say this, Mr. Davis and Mr. Findling. I'm not  
10 going to ask you are you're ready again. I only ask that one time  
11 for the record. So we just go right in to introducing you. But I  
12 won't ask you if you're ready.

13 MR. KITCHENS: Yes, Judge. Thank you.

14 (The second jury panel it seated at 11:20 a.m.)

15 THE COURT: Well, let me say good morning to each one  
16 y'all. My name is Steve Jones. I'm the judge presiding over this  
17 case. On behalf of my colleagues here at the Northern District of  
18 Georgia, I want to welcome you this morning and also thank you for  
19 being here this morning.

20 You know, in America the right to a jury trial is a very  
21 important right. It's a right that ties into our freedom as  
22 Americans. And the right to a jury trial exists, because each one  
23 of us has a role to play. I have a role to play; the lawyers have  
24 a role to play; and you as jurors have a role to play. And unless  
25 each one of us do our jobs, that freedom, that right to a jury

1 trial can diminish and go away.

2           There are a lot of countries in this world that do not  
3 give people right to jury trials. But here in America, it's not  
4 someone appointed by a higher authority that decides people's  
5 freedoms and custody rights and property rights, it is you as  
6 jurors.

7           But as jurors you have a responsibility this morning,  
8 first of all, of being here. And you've met that first  
9 responsibility. And the next responsibility is that you're going  
10 to be asked questions of me and by the lawyers. And we need you  
11 to answer openly and as honestly as possible, because in order to  
12 select 12 jurors and 3 alternates for this case, there are certain  
13 things that I need to know and the lawyers need to know.

14           Let me tell you this. Don't hold back on answering the  
15 questions. I will give you an example I gave the panel before  
16 you. About one month ago I tried a jury trial in a case with a  
17 jury sitting in the same box you're sitting in, and I told them  
18 the same thing, don't hold back. If you have a nonrefundable  
19 airplane ticket, let me know about it. If you have a surgery, let  
20 me know about it before you're seated as a juror. And we had one  
21 juror that didn't tell us. And he got seated in the jury box, and  
22 then he raised his hand after opening statements and he said,  
23 Judge, I'm scheduled to take my family to Disney World at the end  
24 of this week, and you wouldn't keep a father from taking his kids  
25 to Disney World, would you? And guess what I said, yes, I will.

1 Don't wait until we select you as one of the jurors to  
2 tell us something like that. I try to be easy to get along with,  
3 but there are certain points where I draw the line. And he  
4 served. And he just got fortunate. The case ended before the  
5 time that he was scheduled to go to Disney World. Because if not,  
6 he would not have been going.

7 If a lawyer or I ask you a question and you don't feel  
8 comfortable answering from the audience, just raise your hand and  
9 say, Judge, I would rather answer that privately. No problem  
10 whatsoever. We're not here to embarrass you or put you on the  
11 spot. There are certain things I need to know and the lawyers  
12 need to know in order to select the jury.

13 Now, with that stated, I'm going to allow Ms. Wright to  
14 call the case for today.

15 Now, let me say this. This case, I anticipate, will  
16 last approximately three weeks; three weeks and a day, maybe a  
17 little bit longer. So as you answer these questions, I told you  
18 what we anticipate.

19 Ms. Wright, call the case for today.

20 THE DEPUTY CLERK: Yes. The Court calls for trial the  
21 matter of the United States of America v. Mitzi Bickers, criminal  
22 case number 1:18-cr-98-SCJ.

23 THE COURT: Mr. Davis, you can introduce yourself and  
24 anybody with you.

25 MR. DAVIS: Yes, sir. Thank you.



1           Good morning, everyone. My name is Jeffrey Davis. And  
2 I'm part of the Department of Justice. Along with me is Tiffany  
3 Dillingham and Nathan Kitchens. Andrew Marc Benjamin from the FBI  
4 is joining us, and today we have Jonathan Ross and Richard  
5 Gabriel. Thank you.

6           THE COURT: Thank you, Mr. Davis. Thank you.

7           Mr. Findling.

8           MR. FINDLING: Good morning, ladies and gentlemen, my  
9 name is Drew Findling. I represent Pastor Mitzi Bickers. Along  
10 with me representing her are attorneys Marissa Goldberg, Zachary  
11 Kelehear, Alexis Ahlzadeh all from our office, and Denise Delarue.  
12 Thank you.

13          THE COURT: Thank you, Mr. Findling.

14          Ladies and gentlemen of the jury, I have some questions  
15 to ask the 20 of you-all. If any of these question pertain to any  
16 of you-all, please raise your hand and keep your hand raised until  
17 I acknowledge you.

18          Does anyone in the panel know the United States  
19 Attorney, Kurt R. Erskine?

20          There is no response.

21          Does any member of the panel know Assistant United  
22 States Attorneys Jeffrey Davis, Nathan Kitchens, Kelly Kathleen  
23 Connors, Tiffany Renee Dillingham, Jacqui Etienne, Jonathan Ross,  
24 Richard Gabriel, or Special Agent Marc Benjamin?

25          There's no response.

1 Does any member of the panel know any employees of or  
2 has any member of the panel or their immediate family worked for  
3 the United States Attorney's Office for the Northern District of  
4 Georgia or for any United States Attorney's office?

5 There's no response.

6 Does any member of the panel know defendant's attorney  
7 Drew Findling, Marissa Goldberg, Alexis Ahlzadeh, Denise Delarue,  
8 or Zachary J. Kelehear?

9 There is no response.

10 Does any member of the panel know any employees of or  
11 any member of the panel or their immediate family worked for the  
12 Drew Findling law firm?

13 There is no response.

14 Does anyone know or has anyone ever met Pastor Mitzi  
15 Bickers? Pastor Mitzi Bickers, stand up, please. Thank you,  
16 ma'am.

17 There is no response.

18 Does anyone know any of the following individuals that  
19 may be witnesses in this case? Mr. Davis is going to read out the  
20 name of potential witnesses. The person's name may not be called,  
21 but they are potentially witnesses.

22 MR. DAVIS: Jackie Anderson Woods, Michael Ayo, Marc  
23 Benjamin, Sabrina Black, Diedre Verdier, Thomas Weyandt, Kim  
24 Bracey, Keyla Jackson, Mark Stafford, Rita Braswell, Stephanie  
25 Coleman, Ralph Dahlgren, Kim Spell-Fowler, Matthew Davis, Kristy

1 Fuentes, William Gant, Gail Hanscom, Nina Hickson, Sharon Hixon,  
2 Jon Keen, Jimmy Kirby, Richard Leary, Deborah Lonon, Cotena  
3 Alexander, Sean Barnes, Jordan Hillman, William Marshall, Richard  
4 Mendoza, Elvin R. Mitchell, Sharon Patterson, Janene Tillman,  
5 Greg Von Wynn, Daniel Nichols -- sorry, Danielle Nichols, Shedreka  
6 Poole, Melvin Priester, Mike Winfrey, Tony Yarber, Rickey  
7 Williams, Jackie Velardo, Tammy Willingham, Lisa Reed, Chana Tate,  
8 John Relyea, Charles P. Richards, Adrienne Richardson, Andrew  
9 Jenkins, Anthony Brister, Ashby Foote, Candace Byrd, Dana Sims,  
10 Albert Bantley, Charles Davis, Robert Walker, or Robbi Jones?

11 THE COURT: There is no response.

12 Thank you, Mr. Davis.

13 MR. DAVIS: Yes, sir.

14 THE COURT: Is there any member of the panel who has any  
15 special disability or problem that would make serving as a member  
16 of this jury difficult or impossible?

17 Yes, sir.

18 PROSPECTIVE JUROR: I have recently had a stroke on my  
19 brain, and a blood clot is still up there.

20 THE COURT: Okay. Do you feel trying to serve as  
21 juror --

22 PROSPECTIVE JUROR: I'm having a problem trying to  
23 function here today without falling flat on my face.

24 THE COURT: All right. Just have a seat, sir. Just  
25 have a seat. Mr. Davis and Mr. Findley.

1 (At sidebar.)

2 THE COURT: When you speak, speak into the mic.

3 I think this gentlemen qualifies for challenge for  
4 cause.

5 MS. GOLDBERG: I couldn't understand what he said in  
6 response.

7 THE COURT: He had a stroke in his brain, and he's  
8 having a hard time just standing up and talking.

9 MS. GOLDBERG: I would agree with that.

10 MR. DAVIS: Yes, sir. We noticed that in his  
11 questionnaire.

12 THE COURT: Just don't ask him any questions. We'll let  
13 him sit there, and then we will let him go at the end.

14 MS. GOLDBERG: That's fine. Thank you, sir.

15 (End of discussion at sidebar.)

16 THE COURT: Anyone else? I'll ask that question again.

17 Any member of the panel that has any special disability  
18 or problem that would make serving as a member of this jury  
19 difficult or impossible?

20 Yes, ma'am.

21 PROSPECTIVE JUROR: Chihade is my last name.

22 Are you talking about physical disabilities or  
23 circumstantial disabilities?

24 THE COURT: I'm really kind of referring to physical  
25 disabilities. But since you're standing up there, and if it is a

1 hardship disability, I'll hear it.

2 PROSPECTIVE JUROR: Okay. Is this the time that I tell  
3 you I have a trip planned?

4 THE COURT: Yes, this is the time.

5 Now, let me say this. I forgot to put the caveat in  
6 there. Just because you have one planned doesn't mean I'm going  
7 to excuse you, but I need to know about it.

8 PROSPECTIVE JUROR: I know. Okay. I planned a trip two  
9 years ago to Peru in the beginning of April.

10 THE COURT: When in April?

11 PROSPECTIVE JUROR: I think it's 2nd to the 8th or the  
12 10th. I have to look at a calendar.

13 THE COURT: Look at it. If it's the 10th --

14 PROSPECTIVE JUROR: I'm good?

15 THE COURT: Yes, I think you're good.

16 PROSPECTIVE JUROR: Okay. Also, I'm the sole  
17 transportation for my daughter for school.

18 THE COURT: All right. The lawyers hear that, and they  
19 may ask you more questions about that later.

20 PROSPECTIVE JUROR: Okay. That's fine.

21 THE COURT: Thank you.

22 Anyone else?

23 Does any juror hold any belief, religious or otherwise,  
24 that discourages or prevents you from jury service?

25 Yes.

1 PROSPECTIVE JUROR: Doug Perrin. I don't know if this  
2 works, but my wife is 34 weeks pregnant with our first child. And  
3 she's kind of freaking out that I'm going to miss it if she comes  
4 early, if our first child comes early.

5 THE COURT: Well, let me put it this way. You won't be  
6 missing it if your first child comes early, I'll assure you of  
7 that. Let me ask you one question. You know, let's put it this  
8 way. Jury service is important. Your first child, you won't miss  
9 that. I'll guarantee you that.

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Anyone else?

12 If you're selected to sit on this case, will you be able  
13 to render a verdict solely on the evidence presented at the trial  
14 and in the context of the law as I will give you in my  
15 instructions? If not, raise your hand.

16 No one raised their hand.

17 Mr. Kitchens, you may proceed with your voir dire  
18 questions.

19 MR. KITCHENS: Thank you, Your Honor.

20 THE COURT: Let me ask them one other question.

21 Did anyone not receive an oath last week when you came  
22 in or today? If you did not receive an oath, raise your hand. If  
23 you did not receive an oath, please stand up and raise your right  
24 hand and Ms. Wright is going to administer an oath to you.

25 (Prospective jurors are sworn.)

1 THE COURT: Mr. Kitchens, you may proceed, sir.

2 MR. KITCHENS: Thank you, Your Honor.

3 Good morning. Thank y'all for being here.

4 A number of you -- of course, we appreciate everyone  
5 filling out the questionnaires in advance. And a number of you in  
6 those expressed that you had seen some possible news items that  
7 may be somewhat related to this and had expressed some opinions in  
8 that questionnaire based on your review. So we appreciate you  
9 letting us know, and I know the defense appreciates that as well.  
10 I may clarify a few things before I will have some specific  
11 questions for some of you individually.

12 First, to be clear, former Mayor Kasim Reed is not on  
13 trial here. He will not be a witness in this case. The only  
14 defendant in this case is Pastor Mitzi Bickers.

15 Second, you may have read some new articles, you may  
16 have seen some TV stories, or heard something on radio, seen  
17 something on the Internet, but you will be hearing actual evidence  
18 in this case. And sometimes what you will see in terms of actual  
19 evidence is very different from what you may have seen in the  
20 news. The judge will, of course, instruct you that your job as a  
21 juror is to follow the evidence that is actually presented in this  
22 case, and not to consider anything you may have seen or read in  
23 the news before.

24 Lastly, of course in the questionnaire there were  
25 questions asked about your opinions about Pastor Bickers being a

1 woman pastor and her sexual orientation. And there will not be  
2 issues presented in this case regarding those questions.

3           Given that I want to ask some of you some individual  
4 questions based on your responses. Probably given the limited  
5 time, I won't have the ability to talk with each of you. So  
6 please forgive me for that, but I'll try to make as much progress  
7 as I can.

8           First, Ms. Parker, a few questions for you.

9           PROSPECTIVE JUROR: Lillian Parker.

10          MR. KITCHENS: Thank you, Ms. Parker.

11          You mentioned that you had an experience about -- with a  
12 criminal justice system in your family before that you've noted in  
13 your questionnaire. Could you tell us a little bit more  
14 about -- I think you described the process as questionable. Can  
15 you tell us a little bit more about your feelings in that matter?

16          PROSPECTIVE JUROR: Mixed. Mixed. And I don't think it  
17 was on the criminal justice part. My husband was -- had a charge,  
18 a felony charge of Medicaid fraud. He was in private practice,  
19 and probably didn't know what he was doing. But the outcome was  
20 actually okay. He did make some mistakes, and he, you know -- he  
21 admitted that he did in terms of billing -- he should have done  
22 some things differently.

23          MR. KITCHENS: And how long ago did this happen?

24          PROSPECTIVE JUROR: Oh, my God, 15 years ago.

25          MR. KITCHENS: Did you have any -- do you carry, I



1 guess, any sort of negative feelings based on how that criminal  
2 justice case proceeded?

3 PROSPECTIVE JUROR: No. No negative feelings as far as  
4 how the case proceeded. Unfortunately for him, he just wasn't  
5 able to pull himself back together afterwards. But you can't  
6 really blame anybody for that.

7 MR. KITCHENS: Is there anything about that matter that  
8 would affect your ability to be a juror in this case?

9 PROSPECTIVE JUROR: I don't think so, no.

10 MR. KITCHENS: Now, I think you also indicated that you  
11 have an uncle that may still work or may have worked for the City?

12 PROSPECTIVE JUROR: Oh, my one uncle that worked for the  
13 City is diseased.

14 MR. KITCHENS: I see. Okay. What did -- what did that  
15 uncle do for the City?

16 PROSPECTIVE JUROR: I think he worked in sanitation or  
17 the water works and stuff like that.

18 MR. KITCHENS: And, Ms. Parker, would anything about  
19 that affect your ability to serve as a juror in this case?

20 PROSPECTIVE JUROR: No.

21 MR. KITCHENS: Thank you, Ms. Parker.

22 Next, some questions for Mr. Ramey.

23 PROSPECTIVE JUROR: John Ramey.

24 MR. KITCHENS: Thank you, Mr. Ramey.

25 You also, I think, described an experience that you had

1 with the criminal justice system. Can you tell us a little bit  
2 more about your feelings of the government from -- in that matter?

3 PROSPECTIVE JUROR: Well, the reason I listed it is  
4 because it was a negative experience that lasted for over two  
5 years. Because the prosecution failed to procure a video in a DUI  
6 stop in which I wasn't drinking, and it just drug (sic) on and on  
7 and on. And I felt, like, if you can't procure the evidence, then  
8 I shouldn't have to go through this. This is -- how long do I  
9 have to sit here and go through this before you can, you know,  
10 tell your story. So...

11 MR. KITCHENS: I know that must have been a frustrating  
12 experience. How long ago did that take place?

13 PROSPECTIVE JUROR: Probably 15 years ago.

14 MR. KITCHENS: Is that -- can you tell us a little bit  
15 more about your feelings based on what happened and the  
16 prosecution's inability to come up with the evidence in that case?

17 PROSPECTIVE JUROR: Well, I felt more like it was a case  
18 of guilty until proven innocent rather than innocent until proven  
19 guilty. And it cost a lot of money to have my lawyers drag that  
20 out over two plus years, and I'm just going to sit around. So it  
21 kind of felt manipulative. It felt, you know, irresponsible. If  
22 you can't procure the evidence in a certain amount of time, then  
23 you should let me go. That's how I feel.

24 MR. KITCHENS: After going through that experience,  
25 would anything about that -- would it impact the way you may view

1 a government presenting a criminal case here?

2 PROSPECTIVE JUROR: I don't think so.

3 MR. KITCHENS: Do you think -- would you be able to put  
4 aside those feelings that you had about that negative experience  
5 because you're judging the evidence in this case?

6 PROSPECTIVE JUROR: Well, I mean, I didn't really bring  
7 anything like that with me. You're the one that asked the  
8 question.

9 MR. KITCHENS: Fair. Exactly right. All right,  
10 Mr. Ramey. Thank you.

11 Ms. Robinson.

12 PROSPECTIVE JUROR: Allyn Robinson.

13 MR. KITCHENS: Good morning, Ms. Robinson. I think you,  
14 in response to one of the questions, indicated that you, you know,  
15 had an opinion regarding the way that minorities are treated in  
16 the justice system. Could you just tell us a little bit more  
17 about your thinking on that opinion?

18 PROSPECTIVE JUROR: I just feel like sometimes there's  
19 not a fair chance. That's all.

20 MR. KITCHENS: Is there anything -- could you tell us a  
21 little bit more what, in particular, leads you to think that  
22 minorities may not get a fair chance.

23 PROSPECTIVE JUROR: Just the system, the way it's set  
24 up. That's all I feel.

25 MR. KITCHENS: Is there --

1 PROSPECTIVE JUROR: Economical --

2 THE COURT: Ma'am, could you --

3 MR. KITCHENS: I'm sorry, I couldn't hear you.

4 PROSPECTIVE JUROR: Socio economical resources is more  
5 where I was leading with that. Because of the resource that they  
6 lack, it's set up to fail for them.

7 MR. KITCHENS: Okay. So if I'm trying to understand a  
8 little more, is it more of -- is it a resource issue that causes  
9 you to think that minorities are not getting a fair shake in the  
10 justice system?

11 PROSPECTIVE JUROR: Yes, that's correct.

12 MR. KITCHENS: Are there any other concerns aside from  
13 sort of that resource issue?

14 PROSPECTIVE JUROR: No.

15 MR. KITCHENS: You also expressed some opinions  
16 regarding corruption. Tell us your feelings. I think you  
17 indicated in your questionnaire that people were not held  
18 accountable. Given kind of the instructions or the statements I  
19 made at the beginning about the need to really judge the evidence  
20 in this case, the fact that Mayor Reed is not on trial, would your  
21 opinions regarding corruption, would it impact your ability to  
22 judge this case?

23 PROSPECTIVE JUROR: No, the question was directed  
24 towards that situation or the question was asked more about could  
25 it lead to -- I don't think it would impact my judgment here.

1 MR. KITCHENS: And you wouldn't prejudge this case in  
2 any way? Would you be able to be a fair and impartial juror?

3 PROSPECTIVE JUROR: Yes, for sure.

4 MR. KITCHENS: All right. Thank you, Ms. Robinson.  
5 Let me see. Mr. Stamps.

6 PROSPECTIVE JUROR: Randy Stamps.

7 MR. KITCHENS: Mr. Stamps, good morning.

8 I think you indicated in your questionnaire that you're  
9 not sure that you could trust sources from the IRS. Would you  
10 please tell us a little bit more about that.

11 PROSPECTIVE JUROR: I think a lot of that is based on  
12 the media. You hear negative things, and in my mind they remain  
13 negative.

14 MR. KITCHENS: And if you had or heard testimony from a  
15 witness from the IRS, would your beliefs or opinions about the  
16 IRS, would that influence how you would view the credibility of  
17 that witness?

18 PROSPECTIVE JUROR: I don't think so.

19 MR. KITCHENS: What were some of the -- can you tell us  
20 a little bit more about the negative things you heard from the  
21 media about the IRS?

22 PROSPECTIVE JUROR: I guess -- let me back up from  
23 media. Maybe sources of friends that said they were done wrong by  
24 the IRS. I don't have specifics, just hearsay talk.

25 MR. KITCHENS: And, sir, given kind of statements I made

1 in the beginning regarding Mayor Reed, you expressed some opinion  
2 regarding him. Would -- knowing that he is not a defendant in  
3 this case, he's not going to be a witness, would those opinions  
4 affect your ability to be a juror in this case?

5 PROSPECTIVE JUROR: No, what I had heard was media  
6 again. And those things stick in my mind, but I'm not a big media  
7 follower. I just heard more negative than I heard positive.

8 MR. KITCHENS: Thank you, Mr. Stamps.  
9 Ms. Young.

10 PROSPECTIVE JUROR: Tynua Young.

11 MR. KITCHENS: Thank you, Ms. Young. Good morning. A  
12 couple of questions for you.

13 I think, you also in response to a question about the  
14 way that minorities are treated in the justice system, noted some  
15 concerns about defendants that may have -- not have the ability to  
16 pay. Could you tell us a little bit more about your views?

17 PROSPECTIVE JUROR: So, like, you don't have the money  
18 you need but you're trying, you know, to get the proper help from  
19 someone. Something like that. They're just automatically going  
20 to come down on you. And it's, like, you will never have a fair  
21 trial, because everything to me says it's more about money than  
22 anything.

23 MR. KITCHENS: Ms. Young, aside from those concerns  
24 about, you know, defendants who may not have the resources to  
25 defend themselves, is there anything about the justice system that

1 you think causes it to treat minorities unfairly?

2 PROSPECTIVE JUROR: No. It's just something that is not  
3 there for us, you know, for the minorities.

4 MR. KITCHENS: I want to make sure I heard you. You  
5 said it seems it's not -- it's not there for minorities?

6 PROSPECTIVE JUROR: Yes. The court system.

7 MR. KITCHENS: I'm sorry, I'm just having a hard time  
8 hearing, because we are far away.

9 PROSPECTIVE JUROR: I'm sorry. For the court system.  
10 It seems like it's not there. It's always about money in order to  
11 try to get help. And if you don't have the money, or, you know,  
12 something like that, they don't care. They just do you any kind  
13 of way. They just go ahead and bring you down like they just  
14 don't care. But if you have the money to be able to pay out,  
15 and -- you know, it seems like it's just about money. But if you  
16 have the money to pay out, then it's like you can get help, you  
17 know.

18 THE COURT: Who do you hold responsible for not being  
19 fair because of the lack of money? You said the system. Who in  
20 the system do you hold responsible?

21 PROSPECTIVE JUROR: I was just saying if you try to go  
22 out and get any type of resource or help. So you can be able to  
23 have money, be able to pay, you know, to get help. If you are not  
24 making this amount or if you don't have this, then you can't  
25 receive the help or the assistance.

1           THE COURT: I guess what I'm trying to determine, do you  
2 hold it against the government? Do you hold it against the  
3 defense? Do you hold it against the judge and the courts, or just  
4 society?

5           PROSPECTIVE JUROR: I guess just society in general,  
6 yeah.

7           THE COURT: All right. Thank you.

8           MR. KITCHENS: Ms. Young, I think you indicated, also,  
9 that you may have a medical condition?

10          PROSPECTIVE JUROR: Yes.

11          MR. KITCHENS: Could you tell us a little bit more about  
12 that.

13          PROSPECTIVE JUROR: It's my respiratory would cause me  
14 to keep coughing numerous times.

15          MR. KITCHENS: All right. And how -- as Judge Jones  
16 noted that generally the jurors will be wearing masks really for  
17 the entirety of the day, is that going to present any issues for  
18 you?

19          PROSPECTIVE JUROR: Yes. It's flaring my breathing,  
20 like I'm talking now. You see how I'm stuttering talking a little  
21 bit now? That's because my breathing -- I'm wearing the mask over  
22 my face, it shortens my breath some.

23          MR. KITCHENS: Would you have the ability to wear a mask  
24 for any extended period of time if you were serving on the jury?

25          PROSPECTIVE JUROR: No. If I have to sit through the



1 whole time, no.

2 THE COURT: So wearing a mask for more than -- like an  
3 hour straight would cause you medical difficulties?

4 PROSPECTIVE JUROR: Yes. Even at my job, I don't have  
5 to wear it. If I'm in my station, I don't have to wear it,  
6 period. Now we don't have to wear it at all, whether you're  
7 vaccinated or not. It helps me breathing better.

8 THE COURT: Thank you. I needed to know that. Thank  
9 you.

10 MR. KITCHENS: Is it Ms. Chihade?

11 PROSPECTIVE JUROR: Chihade.

12 MR. KITCHENS: Chihade, I'm sorry.

13 PROSPECTIVE JUROR: Chia Chihade.

14 MR. KITCHENS: Thank you. You mentioned when you spoke  
15 with the judge, that you were the sole source of transportation  
16 for your daughter. Could you tell us a little bit more.

17 PROSPECTIVE JUROR: Her school, it's a 20 minute -- 20-  
18 to 30-minute drive in the morning, and in the afternoon, too, and  
19 back. So, like, an hour in the morning and an hour in the  
20 afternoon. There's no buses. And my husband could cover certain  
21 days, but he can't do it every day.

22 MR. KITCHENS: Do you have any other family or  
23 transportation options if there are days that your husband is not  
24 able to --

25 PROSPECTIVE JUROR: Umm, my family is my in-laws, but I

1 don't trust their driving. They're in their 80s. They're driving  
2 from Emory area every day to Potts and it's just busy. And I  
3 suppose I could ask neighbors or friends, but -- I could really.  
4 Yeah. But it will be scrambling, like, piecing everything  
5 together.

6 MR. KITCHENS: Okay. Thank you. Just another question.

7 I think you -- based on just the description that was  
8 provided about what the case may be about, I think you, you know,  
9 expressed maybe an opinion if, you know, the facts were proven.  
10 But based on what I noted about the need to listen to the evidence  
11 and what would be presented, do you think you would be able to  
12 listen to the evidence, apply the law to that evidence, and be a  
13 fair and impartial juror?

14 PROSPECTIVE JUROR: Yes.

15 MR. KITCHENS: Thank you. Mr. Owen.

16 PROSPECTIVE JUROR: Anthony Owen.

17 MR. KITCHENS: Hi, Mr. Owen. I believe you also  
18 expressed an opinion about Mayor Reed. Given the statement I made  
19 at the front regarding Mayor Reed not being, of course, a  
20 defendant, not being a witness in this case, would you be able to  
21 fairly and impartially judge the evidence in this case?

22 PROSPECTIVE JUROR: Yes.

23 MR. KITCHENS: Thank you, Mr. Owen.

24 And let's see, Mr. Partain.

25 PROSPECTIVE JUROR: Jackson Partain.

1 MR. KITCHENS: Mr. Partain, I want to make sure -- I  
2 think in response to one of the questions, you had indicated -- I  
3 may have misread your handwriting -- that there were some bank  
4 problems, I think you put in response to a question? Do you know  
5 what --

6 PROSPECTIVE JUROR: Not that I know of --

7 MR. KITCHENS: Okay.

8 PROSPECTIVE JUROR: -- or remember.

9 MR. KITCHENS: Okay. It may have just been a  
10 handwriting issue. Thank you.

11 THE COURT: I think it was shaking after Georgia winning  
12 at Athens.

13 MR. KITCHENS: That may be it.

14 Ms. Vasquez.

15 PROSPECTIVE JUROR: Kimberly Vasquez.

16 MR. KITCHENS: Ms. Vasquez, in your questionnaire, I  
17 think you provided a description regarding what -- how you view  
18 prosecutors, how you view defense counsel and the job that defense  
19 counsel needs to do to prove their client's innocence. I just  
20 want to be clear on this. It's, of course, the government's job  
21 to present all of the evidence and to prove the case. The  
22 defendant does not have to prove anything. They don't have to  
23 disprove anything. They don't have any burden of proof. It rests  
24 entirely with the government.

25 With that understanding and knowledge that the

1 government has the burden of proof, the government -- the defense  
2 is not required to prove anything, would you have the ability to  
3 follow the law and the evidence and be a fair and impartial juror  
4 in this case?

5 PROSPECTIVE JUROR: Yes.

6 MR. KITCHENS: You wouldn't hold it against the defense  
7 counsel if they presented no evidence at all?

8 PROSPECTIVE JUROR: No.

9 MR. KITCHENS: Thank you, Ms. Vasquez.

10 THE COURT: Well, you understand the defense does not  
11 have to present any evidence?

12 PROSPECTIVE JUROR: I'm sorry?

13 THE COURT: Do you understand, ma'am --

14 PROSPECTIVE JUROR: Can you repeat that again?

15 THE COURT: Mr. Kitchens pointed out that the government  
16 has the burden of proof to present witnesses and evidence. The  
17 defense is not required to present any evidence. They have no  
18 burden. Do you understand that?

19 PROSPECTIVE JUROR: Yes, sir.

20 THE COURT: If they don't present any evidence, you  
21 cannot, and I will instruct you and all of the jurors, you cannot  
22 hold that against them in any way.

23 Can you and will you follow those instructions?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: Thank you.

1 MR. KITCHENS: If I can, if I can go back to Mr.  
2 Partain. I apologize about this. But I think I pulled up the  
3 questionnaire, so I will try to see if this prompts -- maybe we  
4 can figure out the handwriting issue.

5 PROSPECTIVE JUROR: Jackson Partain.

6 MR. KITCHENS: All right. Thank you, again.

7 I think the question was, if you have a close friend or  
8 relative that was involved in any sort of claim or dispute or  
9 lawsuit. And it looked to us like you wrote "bank problems" in  
10 response.

11 PROSPECTIVE JUROR: I would rather talk about that in  
12 private. It's about my mom.

13 MR. KITCHENS: Okay. Anything about that experience  
14 affect your views of, you know, the government or anything in this  
15 case?

16 PROSPECTIVE JUROR: Not at all.

17 MR. KITCHENS: Would anything about that affect your  
18 ability to be a juror in this case?

19 PROSPECTIVE JUROR: No, sir.

20 MR. KITCHENS: Okay. Can you tell us -- I don't want to  
21 get into too many details, would you mind telling us a little bit  
22 about what that may involve? I just want to make sure I  
23 understand.

24 PROSPECTIVE JUROR: Yeah, I'm good.

25 THE COURT: Well, you don't have to talk about it in

1 front of the jury box.

2 PROSPECTIVE JUROR: Yeah, yeah. I don't want to talk  
3 about it in front of anybody.

4 MR. KITCHENS: Okay. Fair.

5 I don't think I have any more questions. I appreciate  
6 it.

7 THE COURT: Thank you, Mr. Kitchens.

8 Ms. Goldberg.

9 MS. GOLDBERG: Thank you, Your Honor.

10 Good morning. As you heard, I'm Melissa Goldberg. We  
11 have the honor of representing Pastor Mitzi Bickers in this  
12 matter.

13 As you all were so gracious in filling out the jury  
14 questionnaire prior to coming back today, I feel like I know some  
15 of y'all. So I've got some information. I just want to follow up  
16 just as Mr. Kitchens did based on questions I had based on the  
17 questionnaires. I'm a very linear person, so I think I'm going to  
18 go in order, if that makes everybody feel comfortable, too. So  
19 Ms. Chihade.

20 PROSPECTIVE JUROR: Chia Chihade.

21 MS. GOLDBERG: So you mentioned when Judge Jones started  
22 today about a trip you had planned I think to Peru. Can you give  
23 us the dates of that again?

24 PROSPECTIVE JUROR: It's the first full week of April.  
25 I have to look at the specific dates.

1 THE COURT: First full week of April is April the 4th  
2 through the 8th.

3 PROSPECTIVE JUROR: Yes. So we would leave, like, the  
4 Friday.

5 THE COURT: April the 8th?

6 PROSPECTIVE JUROR: No, before that.

7 THE COURT: The first Friday in April is April the 1st.  
8 The first full week in April is April the 8th.

9 PROSPECTIVE JUROR: So we would leave April the 2nd and  
10 come back the 10th.

11 MS. GOLDBERG: Okay. As Judge Jones indicated, this may  
12 take three weeks. There is never a guarantee one way or another;  
13 it could be less or it could be more. And so, you know,  
14 obviously, we take that into consideration today.

15 PROSPECTIVE JUROR: Thank you.

16 MS. GOLDBERG: And that's a prepaid vacation, I assume?

17 PROSPECTIVE JUROR: Yes.

18 MS. GOLDBERG: And Mr. Kitchens asked you a little bit,  
19 I just want to follow up, too.

20 Based on your questionnaire, you mentioned specifically  
21 just kind of hearing news about cases from the City of Atlanta and  
22 alleged corruption and things like that. I think the words you  
23 kind of used were kind of sick of cases involving bribery and  
24 misuse of taxpayer dollars and things like that.

25 There are allegations in this case -- you will hear if

1 you're sitting on the jury -- there are allegations in this case  
2 that this involves bribery. So based on your opinion, as you  
3 expressed in the questionnaire, how would that make you feel?

4 PROSPECTIVE JUROR: I would just listen to the evidence  
5 and take it -- take that into consideration when I make my  
6 decision.

7 MS. GOLDBERG: Okay. Would you bring in any of those  
8 feelings that you had previously into this case?

9 PROSPECTIVE JUROR: I think I cannot do that. I will  
10 not bring in my previous impressions.

11 MS. GOLDBERG: Okay. And your concerns about your  
12 children and taking them to and from school, do you think that  
13 would affect you and your ability to serve on a jury?

14 PROSPECTIVE JUROR: I mean, I'll be honest. I've been  
15 stressed for the last week waiting for today to figure out  
16 everything, and if it starts tomorrow, I have to scramble tomorrow  
17 and figure everything out for the next three weeks.

18 MS. GOLDBERG: And would that be a hardship for you or  
19 do you think you would be able to figure it out?

20 PROSPECTIVE JUROR: It would be a hardship for sure,  
21 yes.

22 MS. GOLDBERG: Thank you. Ms. Dale.

23 PROSPECTIVE JUROR: I'm Tonya Dale.

24 MS. GOLDBERG: On your questionnaire you mentioned  
25 something in response to a question about whether you think



1 minorities are treated unfairly. I think you had a question --  
2 your answer was something about that it appears to be improving  
3 year by year. Can you explain that to us?

4 PROSPECTIVE JUROR: Well, I mean, obviously, over the  
5 years I think things have begun to improve. But I think there is  
6 still a lot of work to be done depending on the forum, whether it  
7 be legal or, you know, the workplace or whatever. I still think  
8 that there is, you know, a good bit of discrimination against  
9 minorities, women, you know. But I think it is a case-by-case  
10 basis, and I do think it has seemed to improve as in -- like the  
11 case of George Floyd being, you know, prosecuted correctly. I  
12 guess that's it.

13 MS. GOLDBERG: All right. Thank you.

14 Mr. Hamilton, I'm going to skip over you today and go to  
15 Ms. Howard.

16 PROSPECTIVE JUROR: Isha Howard.

17 MS. GOLDBERG: Hi.

18 PROSPECTIVE JUROR: Hi.

19 MS. GOLDBERG: You mentioned in your questionnaire  
20 something about the importance of keeping an open mind if you were  
21 to sit on the jury. Can you explain that answer to us a little  
22 bit?

23 PROSPECTIVE JUROR: Yes, I am an adjuster and adjuster  
24 by trade. So I have to keep an open mind when I'm investigating  
25 claims. I also feel that as facts present themselves, I take

1 those into consideration more so than what my personal feelings  
2 might be on something. So I try to look at things from both sides  
3 and keep an open mind.

4 MS. GOLDBERG: And as His Honor indicated, obviously,  
5 the defense does not have a burden in this case. It is solely up  
6 to the government. How do you feel about that?

7 PROSPECTIVE JUROR: I'm perfectly fine using the  
8 information that I have to make decisions. Sometimes I don't get  
9 everything that I want, but I use what I have before me to make  
10 the best decision that I can.

11 MS. GOLDBERG: Thank you, Ms. Howard.

12 And I'm going to skip over Ms. Howell right now and go  
13 to Ms. Nave. And I apologize, I'm not going to ask everybody  
14 questions. There are a few things that I wanted to follow up on.

15 PROSPECTIVE JUROR: Angela Nave.

16 MS. GOLDBERG: Ms. Nave, when Mr. Kitchens mentioned  
17 when he spoke with you first, the question of sexual orientation  
18 is not on trial in this case, however, it may become an issue as  
19 it relates to certain witnesses and Pastor Bickers herself. You  
20 expressed some views regarding same sex marriage and people who  
21 are in a position of religious leadership identifying as gay. Can  
22 you explain that and how your feelings about that are?

23 PROSPECTIVE JUROR: Well, I just personally oppose same  
24 sex marriage. That's a personal belief, religious belief of mine.  
25 As far as a lady or a women being a pastor of a church, I don't

1 really have an opinion on that.

2 MS. GOLDBERG: Okay. And the fact that Pastor Bickers  
3 is a woman and she does identify as gay, how would that affect  
4 your thoughts regarding this?

5 PROSPECTIVE JUROR: That's her choice. I mean, the  
6 opposing is my opinion for myself. Whatever, you know, anyone  
7 else chooses, that's their opinion. I mean, that's their right to  
8 do what they wish. But personally for me, I oppose.

9 THE COURT: Well, now are you going to be able to take  
10 the fact that you oppose same sex marriage and someone being  
11 gay --

12 PROSPECTIVE JUROR: I don't hold it against anyone.

13 THE COURT: Here is my concern. Are you going to be  
14 able to listen to the evidence in this case and the law as I give  
15 you and render a verdict based on the evidence and the law and  
16 disregard anything about anyone being gay or same sex marriage and  
17 base your verdict solely on the evidence and the law I give you?

18 PROSPECTIVE JUROR: Based on the evidence, yes, and not  
19 on the personal opinion -- decisions.

20 THE COURT: And will you be fair and impartial in this  
21 case?

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Thank you.

24 MS. GOLDBERG: And, Ms. Nave, you also mentioned  
25 something about your husband having disability and it may be a

1 hardship in your life. Can you talk about that a little bit?

2 PROSPECTIVE JUROR: Yes. He's a disabled -- I don't  
3 drive in Atlanta. So he's actually sitting down in the parking  
4 lot waiting on me. So...

5 MS. GOLDBERG: So are you a caretaker for him?

6 PROSPECTIVE JUROR: He's able to still care for his self  
7 (sic). I mean, he still drives and he still -- he has a lot of  
8 joint, back pain. I personally don't drive in Atlanta. So he  
9 -- I live in a small town of Covington. I work two miles from my  
10 home. I've worked there since I was 15. So I have no reason to  
11 come to Atlanta. I don't drive in Atlanta. It gives me anxiety.  
12 And he's sitting out in the parking lot watching Netflix on his  
13 phone.

14 MS. GOLDBERG: You understand this trial may take three  
15 weeks.

16 PROSPECTIVE JUROR: He's concerned. Yeah, he told me  
17 today I better pay attention to where I'm going, because he won't  
18 be able to bring me.

19 MS. GOLDBERG: Well, would that be a hardship for you or  
20 is that something that you could --

21 PROSPECTIVE JUROR: I would try to do the drive. I  
22 would like to say too, though, at my job I am the only person that  
23 does my job. I think I sent in a letter from my administer. I'm  
24 a financial counselor at a nursing home. And for three weeks,  
25 that would put a hardship on the facility.

1 MS. GOLDBERG: And someone from your job sent a letter?

2 PROSPECTIVE JUROR: I sent it to the in-box e-mail. And  
3 I do have a copy of it with me.

4 MS. GOLDBERG: Thank you. Thank you, Ms. Nave.  
5 Mr. Owen.

6 PROSPECTIVE JUROR. Anthony Owen.

7 MS. GOLDBERG: Good morning, Mr. Owen. You expressed  
8 some relatively strong views in your questionnaire related to  
9 religion, and I guess maybe not -- no longer having a belief in  
10 certain religions.

11 Now, as we indicated, Pastor Bickers is a pastor in a  
12 Baptist church. Can you tell us how your thoughts may have an  
13 impact on that.

14 PROSPECTIVE JUROR: I used to have very conservative  
15 Christian theological views. I had theological training in the  
16 past. My views have changed. And I no longer view the bible as  
17 spiritually authoritative. So I'm now a non-religious person. So  
18 I don't have the views I had in the past.

19 MS. GOLDBERG: Okay. And would that and the fact that  
20 there may be testimony related to the fact that Pastor Bickers is  
21 a pastor and may be even related to a church, or people -- members  
22 of a church, how would that affect you?

23 PROSPECTIVE JUROR: I don't think it would affect me. I  
24 think I could be fair and impartial.

25 MS. GOLDBERG: Okay. Thank you.

1           And, Ms. Parker, I think you already explained some  
2 stuff, so I'm going to skip over you and go to Mr. Partain. And  
3 just briefly, I think you mentioned something about a work  
4 hardship. Can you talk to us a little bit about that?

5           PROSPECTIVE JUROR: Jackson Partain. And my job is  
6 pretty serious. I've always got to be there. So that's about it.

7           MS. GOLDBERG: Okay. Now, people do have serious jobs.  
8 Do you get paid if you're not there?

9           PROSPECTIVE JUROR: No.

10          MS. GOLDBERG: And so would that be a hardship for you  
11 being on a trial for three weeks?

12          PROSPECTIVE JUROR: Yes and no. I mean, I could do it.  
13 I could work with it, but I would rather be there.

14          MS. GOLDBERG: All right. Thank you, Mr. Partain.  
15 Mr. Perrin.

16          PROSPECTIVE JUROR: Doug Perrin.

17          MS. GOLDBERG: I may have a couple of questions for you  
18 based on your questionnaire that we may want to do separately. I  
19 think there is a couple of you-all.

20                 But I just want to go back to the issue with your wife  
21 and being pregnant.

22                 Would that be in the back of your mind at all times if  
23 you were to serve on a jury?

24                 PROSPECTIVE JUROR: Yes, if she comes up under  
25 any -- needing help or anything, I definitely will be thinking

1 about that during the case.

2 MS. GOLDBERG: Okay. Do you think that would affect you  
3 and your ability to serve on this jury?

4 PROSPECTIVE JUROR: I'll try, but we just have many  
5 friends that have come early, even to the week that she is right  
6 now. It's just -- it's top of mind.

7 MS. GOLDBERG: Okay. Would you still be able to listen  
8 to the evidence or do you think that's something you would always  
9 be thinking about?

10 PROSPECTIVE JUROR: I'll still listen to the evidence  
11 the best I can and judge the way I feel, but besides that, I -- it  
12 is in the back of my mind, obviously.

13 THE COURT: Can I ask a question here, Ms. Goldberg?

14 MS. GOLDBERG: Yes.

15 THE COURT: This is your first child?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: And more or less what you're telling  
18 Ms. Goldberg and the Court is that you'll be sitting there but  
19 your mind may not be there?

20 PROSPECTIVE JUROR: If I -- if my child would come, I  
21 want to go to the birth. I know there is a big -- this is a big  
22 important case, but...

23 THE COURT: Well, my question was -- obviously, you're  
24 going to be there. But it's important that the 12 jurors and 3  
25 alternates that are hearing this case pay close attention to

1 whatever the witness says, what the lawyers say, and what I say,  
2 because missing one sentence could change the whole aspect of how  
3 that juror sees the case. I am very conscientious of the fact  
4 that this is your first child and that's -- that is, again, more  
5 important than that. But what I need to know then, are you  
6 telling me that it's going to be impossible for you to pay  
7 attention during this trial?

8 PROSPECTIVE JUROR: If I'm here, I'll be here -- if  
9 that's the question. My focus is going to be here and listening  
10 to the case, if I'm here.

11 MS. GOLDBERG: Okay. I appreciate that. I want to  
12 follow up on one other thing.

13 I think you said something in your questionnaire about  
14 you needed to see some proof that if someone is charged with a  
15 crime that they didn't do it. Now, you heard, I think, earlier  
16 about the burden. Can you talk to us a little bit about that?

17 PROSPECTIVE JUROR: The judge did make it -- say it  
18 correctly, that the burden of proof is on the prosecutors, not on  
19 the defense.

20 MS. GOLDBERG: And you understand that there is no  
21 burden whatsoever on the defense?

22 PROSPECTIVE JUROR: Yes.

23 MS. GOLDBERG: All right. Thank you.

24 Ms. Pye.

25 PROSPECTIVE JUROR: Margie Pye.



1 MS. GOLDBERG: Good morning. You expressed some  
2 relatively strong opinions related to the Reed administration.  
3 Can you talk to us a little bit about that?

4 PROSPECTIVE JUROR: Well, I watch a lot of news, and  
5 I've seen all of the administrations and all of the bribery case  
6 charges and they've all been convicted and gone to prison for it.

7 MS. GOLDBERG: Now, you understand, as they indicated,  
8 that former Mayor Reed is not part of this case?

9 PROSPECTIVE JUROR: Right.

10 MS. GOLDBERG: Do you think that those opinions that you  
11 have and this being completely different from any of that and no  
12 evidence having been presented in this, how would you feel  
13 about -- if there were people or evidence related to that  
14 administration?

15 PROSPECTIVE JUROR: Well, it would be -- you know, each  
16 case is different, and for me, I could judge by whatever is  
17 presented before me. It wouldn't -- it wouldn't color anything.

18 MS. GOLDBERG: So those opinions wouldn't come into this  
19 or would they?

20 PROSPECTIVE JUROR: No. Just what I've seen on the news  
21 is how I formed my opinion. But whatever is before me would be a  
22 different thing.

23 MS. GOLDBERG: Okay. Thank you, Ms. Pye. And I'm  
24 sorry, Ms. Pye, did you mention something about a hardship as  
25 well?

1 PROSPECTIVE JUROR: Well, I'm the caretaker of my  
2 grandchild. Both his parents are employed. His mother is a  
3 school teacher, and my son works for the Department of Health and  
4 Human Services. So they don't have a babysitter. He's not in any  
5 daycare.

6 MS. GOLDBERG: Is that something you do daily?

7 PROSPECTIVE JUROR: Yes, Monday through Friday.

8 MS. GOLDBERG: Is there anybody that can cover that for  
9 you?

10 PROSPECTIVE JUROR: Not at the moment.

11 THE COURT: Who is doing it for you today?

12 PROSPECTIVE JUROR: My son took off today.

13 MS. GOLDBERG: Thank you, Ms. Pye.

14 Go back, I'm sorry, to Ms. Nave.

15 Related to your work hardship. Do you get paid if  
16 you're not there or is it --

17 PROSPECTIVE JUROR: The company provides jury pay. They  
18 will minus what I get paid for here, so...

19 MS. GOLDBERG: Okay. Thank you. Mr. Ramey.

20 PROSPECTIVE JUROR: John Ramey.

21 MS. GOLDBERG: You mentioned something about, you know,  
22 a prior issue that you had related to, I guess, an alleged DUI.

23 Now, you understand that that was not the federal court,  
24 it was the state court -- very different from the circumstances we  
25 have here; correct?

1 PROSPECTIVE JUROR: Yes, yes.

2 MS. GOLDBERG: Okay. And would any of that, given the  
3 fact that it is very different circumstances and these are not the  
4 prosecutor who were involved in your case, would that color your  
5 opinion at all --

6 PROSPECTIVE JUROR: No.

7 MR. GOLDBERG: -- and your ability to be a juror?

8 PROSPECTIVE JUROR: Not at all.

9 MS. GOLDBERG: Okay. Thank you, Mr. Ramey.

10 I'm going to go to Ms. Robinson.

11 PROSPECTIVE JUROR: Allyn Robinson.

12 MS. GOLDBERG: And I think Mr. Kitchens asked you a  
13 little bit about it, related to your thoughts about the Reed  
14 administration. If there is some evidence or people who may have  
15 worked within that administration, how would you feel about that?

16 PROSPECTIVE JUROR: I'll judge based on the evidence as  
17 presented before me.

18 MS. GOLDBERG: Okay. Thank you.

19 Mr. Stamps.

20 PROSPECTIVE JUROR: Randy Stamps.

21 MS. GOLDBERG: You expressed some opinions in your  
22 questionnaire related to religious leaders and maybe -- the  
23 relationship between religious leaders and money. Can you explain  
24 a little bit to us what you meant by that?

25 PROSPECTIVE JUROR: In my experience, I have seen church

1 pastors that -- based a lot on the money, the receiving of money  
2 and how they were treated. And they may have been treated better  
3 than some other parishioners were.

4 MS. GOLDBERG: Okay. So you're saying the people, in  
5 your experience, treated their parishioners differently based on  
6 money, donations, and things like that?

7 PROSPECTIVE JUROR: Yes.

8 MS. GOLDBERG: Okay. Again, as I indicated,  
9 Pastor Bickers is a pastor of a church. How would you feel about  
10 that given those thoughts?

11 PROSPECTIVE JUROR: As long as there was no wrongdoing,  
12 I wouldn't have a problem with it.

13 MS. GOLDBERG: But again, given the evidence presented,  
14 would your beliefs related to that, would that color your opinion  
15 or the way that you would view the evidence or lack thereof in  
16 this case?

17 PROSPECTIVE JUROR: No.

18 MS. GOLDBERG: And similarly, I think you mentioned  
19 something about not thinking that women should hold positions of  
20 power. Can you explain that?

21 PROSPECTIVE JUROR: That was more, I guess, the way I  
22 was raised to believe as far as -- I guess I'm saying, church  
23 pastor, I was raised -- now, I don't hold that against anybody.  
24 There are a lot of females that are good pastors.

25 MS. GOLDBERG: Okay. Would that color your opinion in

1 how you see things and how you view the evidence here?

2 PROSPECTIVE JUROR: I don't think so.

3 MS. GOLDBERG: And you also expressed some concerns  
4 about, you know, if you were to serve as juror, the impact that a  
5 verdict one way or the other would have. Can you explain that a  
6 little bit.

7 PROSPECTIVE JUROR: I'm sorry, I'm not understanding.

8 MS. GOLDBERG: So I think there was a question about  
9 would you have a concern if you were called to serve on this jury,  
10 about the impact of rendering a verdict one way or the other that  
11 could have on your life. I think you mentioned something about  
12 you were concerned about it and related it specifically to racial  
13 bias. Can you -- if that helps.

14 PROSPECTIVE JUROR: I'm sorry, I'm lost.

15 MS. GOLDBERG: Okay. Would you have any concerns about  
16 serving on the jury?

17 PROSPECTIVE JUROR: No.

18 MS. GOLDBERG: Okay. Would you have any concerns about,  
19 you know, being able to render a verdict or the impact of a  
20 verdict on your life one way or the other?

21 PROSPECTIVE JUROR: No.

22 MS. GOLDBERG: All right. Thank you, Mr. Stamps.  
23 Ms. Taylor.

24 PROSPECTIVE JUROR: Jennifer Taylor.

25 MS. GOLDBERG: Okay. Thank you, Ms. Taylor.

1           You expressed some concerns about the City of Atlanta  
2 and corruption within the City of Atlanta. Do you have any  
3 thoughts about that?

4           PROSPECTIVE JUROR: The only thing that I recall is the  
5 APS, the public school scandal. That's the only thing that I can  
6 reference that to.

7           MS. GOLDBERG: Okay. And you're aware -- that has  
8 nothing to do --

9           PROSPECTIVE JUROR: Correct.

10          MS. GOLDBERG: -- with anything that we're here for.

11          PROSPECTIVE JUROR: Correct.

12          MS. GOLDBERG: So how would you feel, related to your  
13 thoughts on that, serving as a potential juror in this case?

14          PROSPECTIVE JUROR: It could have no bearing whatsoever.

15          MS. GOLDBERG: Okay. I think that's all I have. Thank  
16 you.

17          THE COURT: Thank you, Ms. Goldberg.

18          Ladies and gentlemen of the jury, Ms. Wright is going to  
19 give you-all some instructions in a few minutes. Let me just say  
20 this to you. We're going to be taking a lunch break, and y'all  
21 are going to be in the building. You may see some of the lawyers  
22 in the building. They can't talk to you. None of the parties  
23 involved in either one of these sides can talk to you in any way.  
24 They can say hello and they literally may not even say that. Do  
25 not hold that against them. That's my instructions to them.

1 They're not allowed to talk to you.

2 So if you see them in the cafeteria or in the  
3 elevator -- if you're in the elevator and it opens up and they  
4 don't step on, it's nothing against you. They're not allowed to  
5 have any contact or communication with you.

6 Again, it's possible that you may see them in the  
7 cafeteria. They will not be talking to you. Please don't go up  
8 to them and try to have a conversation with them as well.

9 Ms. Wright will now give you-all instructions.

10 THE DEPUTY CLERK: Yes. You can all head back up to the  
11 jury assembly room. And when we need you again, we'll call you  
12 and ask you to come back down. You can be at ease, and go to  
13 lunch.

14 (Whereupon, the jury panel was excused as 12:17 p.m.)

15 THE COURT: Do you need assistance, sir?

16 PROSPECTIVE JUROR: Did I misunderstand? Are we allowed  
17 to take lunch after we go --

18 THE COURT: Go up to the 22nd floor, and they'll  
19 probably let you go on a lunch break.

20 Okay. Mr. Kitchens, let me say first, Mr. Hamilton is  
21 off. His medical condition, in the Court's opinion, renders him  
22 unable to be a part of this jury. Mr. Davis and Mr. Kitchens, any  
23 objection to that?

24 MR. KITCHENS: No, Your Honor.

25 THE COURT: Mr. Findling -- excuse me, Ms. Goldberg, any

1 objection to that?

2 MS. GOLDBERG: No, Your Honor.

3 THE COURT: Mr. Hamilton is off. Mr. Kitchens, any  
4 challenges for cause?

5 MR. KITCHENS: Your Honor, I understand there may be  
6 three jurors that we wanted to speak with separately. Leaving  
7 that aside, I think -- I don't think any for cause. I think the  
8 one hardship issue came up, in our view. That was with Juror 41.  
9 She was having the difficulty, the respiratory problem with the  
10 mask. She said even wearing it for an hour at a time --

11 THE COURT: I think, Ms. Goldberg, we need to take her  
12 off. Two reasons: She's going to have to keep the mask on, and  
13 if she's having breathing problems -- that's Juror No. 41,  
14 Ms. Young. I'm concerned. I don't want to put anybody in a  
15 medical problem. But I'll hear from you, if you oppose.

16 MS. GOLDBERG: Your Honor, again, I don't want to put  
17 anyone in a medical problem either. Obviously, it's uncomfortable  
18 for everyone. But if there is a substantial medical issue with  
19 breathing involved, we would not object to that.

20 THE COURT: Okay, Juror 41 is removed.

21 Let me ask you this, Mr. Kitchens and Ms. Goldberg, you  
22 know having your first child is probably one of the most important  
23 events in your life. And his wife is 34 weeks pregnant. Let me  
24 hear -- I'm kind of probably -- that's Juror No. 30. I'm kind of  
25 leaning toward removing him, but let me hear from y'all. I would



1 imagine sitting there and you're not going to have your cell  
2 phone -- and to be quite frank with you-all, this case is very,  
3 very important, but to him it's secondary to the birth of his  
4 child.

5 Mr. Kitchens?

6 MR. KITCHENS: That's certainly true, Your Honor. I  
7 think that was one of the jurors that we were going to bring in  
8 and question separately as well. We avoided asking any questions  
9 as a result of that. I certainly understand that concern.

10 Could we maybe just have an opportunity just with the  
11 other two jurors to speak with them to get a little bit more sense  
12 of that?

13 THE COURT: Ms. Goldberg?

14 MS. GOLDBERG: Your Honor, I would agree. I do think he  
15 probably has a substantial hardship given what he's already  
16 expressed. He is one of those individuals we wanted to talk to  
17 anyway. So...

18 THE COURT: Was there a need to talk to him if both  
19 y'all are saying the hardship of his child's birth is -- or is the  
20 government still saying, no, we want to talk to him?

21 MR. KITCHENS: I think I definitely understand,  
22 obviously, the concern. I think we would be interested in at  
23 least hearing from him. He did, and I know you asked point-blank  
24 if --

25 THE COURT: What did he say in the questionnaire that

1 have you-all concerned?

2 MR. KITCHENS: I don't think there was anything in the  
3 questionnaire. I think there was a concern about his views of  
4 this particular case.

5 THE COURT: What is it he said about the case?

6 MS. GOLDBERG: Here it is. Your Honor, I believe he had  
7 some indication that he had formed an opinion related to some  
8 things that he had seen in the media, and that's why we wanted to  
9 talk to him outside the presence of the other jurors.

10 THE COURT: I don't mind bringing him in with the other  
11 two. What I'm saying is, if both of y'all agree that he should be  
12 removed because of the birth of his child, there is no need to  
13 bring him in. But if I heard Mr. Kitchens correctly, he still  
14 wants to bring him in. So we'll bring him in. We'll let them all  
15 go to lunch, and then we'll bring them in before our next panel.

16 Who else is a challenge for cause, Mr. Kitchens?

17 MR. KITCHENS: We have no other challenges, Your Honor.

18 THE COURT: Thank you. Ms. Goldberg.

19 MS. GOLDBERG: Your Honor, the only two I think may be  
20 hardship related to Juror No. 22. The trip that she had planned.  
21 I know it is a question mark whether or not we'll actually get to  
22 that trip, but, you know, as Your Honor knows, you never know what  
23 is going to happen. Jurors are deliberating or things like that,  
24 it is a possibility it could extend. Plus that in conjunction  
25 with her concern about her children may create a hardship.

1 THE COURT: What is your position, Mr. Kitchens?

2 MR. KITCHENS: Based on her travel, it's fairly far off.  
3 It would take, I think, the trial taking longer than any of us  
4 would anticipate for it to be an impediment to travel. She  
5 expressed certainly concerns about it. It certainly would be  
6 inconvenient regarding the transportation with her daughter, but  
7 it did sound like she had the ability between her husband and  
8 friends to be able to take care of that transportation as well.  
9 There are, obviously, a good number of jurors that their service  
10 on the jury is going to affect transportation plans for them and  
11 their family. So I don't know that it rises to a level of a  
12 hardship.

13 THE COURT: Ms. Goldberg, the Court's position is always  
14 in a situation like this, I want both sides to agree before I  
15 remove a person. The government is not agreeing. It does not  
16 meet the cause requirement. So she'll stay on.

17 MS. GOLDBERG: I understand, Your Honor.

18 THE COURT: Who else, Ms. Goldberg?

19 MS. GOLDBERG: I believe Juror 32, Ms. Pye, had a  
20 hardship as being the caregiver for her grandchild, that no one  
21 else could cover, and that was our concern.

22 THE COURT: Mr. Kitchens?

23 MR. KITCHENS: That was another juror I think we were  
24 hoping to speak to separately. We did not ask any questions as a  
25 result of that. I think we would like the opportunity to speak

1 with that juror before we make any determination about hardship.

2 THE COURT: All right. What else, Ms. Goldberg?

3 MS. GOLDBERG: Just one more, Your Honor. I don't  
4 know -- Juror No. 30, led to his work and not getting paid. I  
5 know that may be an issue that most of the jurors share.

6 THE COURT: Yes, that's not a hardship. Out of 79 of  
7 them, probably 30 of them work for minimum wage and they only get  
8 paid, what, \$40 a day -- 45 -- 50. Okay, they got a raise. I  
9 sympathize with people in that situation, but if I let him go, it  
10 opens up the door for a lot of other people.

11 MS. GOLDBERG: Understood, Your Honor. So we'll reserve  
12 for No. 31 and 32 which we wanted to speak to, anyway.

13 THE COURT: All right. The three that we have is 31 and  
14 32, and who is the third one?

15 MR. KITCHENS: 38 I think you indicated as well, Your  
16 Honor.

17 THE COURT: 38? I didn't have anything down -- well,  
18 38.

19 MS. GOLDBERG: Based on the questionnaire, Your Honor.

20 THE COURT: 31, 32, and 38. What we will do, we'll take  
21 a lunch break and then we'll come back. Before we bring in the  
22 third panel, we're going to bring those three in, and then y'all  
23 can question those three. Then I'll let y'all determine whether  
24 you want to challenge any of those three for cause.

25 Mr. Findling?

1 MR. FINDLING: Your Honor, I also raised to you and the  
2 government, but we did not ask No. 20 in the first panel --

3 THE COURT: We'll bring No. 20.

4 MR. FINDLING: -- his position towards guilt.

5 THE COURT: We'll bring 20 back also after lunch.

6 MR. FINDLING: Thank you, Your Honor.

7 THE COURT: What we'll do, Mr. Findling and Mr. Davis,  
8 20, 31, 32, 38 we'll bring them in one at a time, put them in the  
9 jury box, the others will reside in the hall, we'll let you-all  
10 ask them what y'all want to ask them.

11 Is seven minutes -- ten minutes per side enough time to  
12 question these four people?

13 MR. FINDLING: Yes, Your Honor.

14 THE COURT: And then y'all want to challenge for cause?  
15 I hear that. And once we do that, then we'll bring in the panel  
16 of 20 and go from there. Any questions?

17 MR. DAVIS: Judge, I have one brief question. Sorry.  
18 If the number of jurors is made by the third panel, is it --

19 THE COURT: Yes. I think -- I know if we have 40 jurors  
20 qualified, we won't need to go into the fourth panel, because all  
21 we need is 12 jurors and three alternates. And we can -- with 6  
22 strikes, we can pick the 12 jurors and 3 alternates from 40  
23 jurors. I'm thinking the way it is looking, we may not need to  
24 get into the fourth panel.

25 MR. FINDLING: Just, Your Honor, so I can be clear. The

1 four that we will bring back, we will question each of them  
2 separate from the three?

3 THE COURT: Exactly. Exactly.

4 MR. FINDLING: Okay, perfect. Thank you so much.

5 THE COURT: Let me just say this to all of you-all.  
6 There's not a whole lot of places around here you can go and eat  
7 your lunch in an hour and be back here and properly digest it.  
8 Okay? So I highly recommend the cafeteria or bring you lunch  
9 tomorrow. But if you think you can do it, fine. See y'all at  
10 1:30.

11 (Recess at 12:35 p.m.)

12 (On the record at 1:35 p.m.)

13 THE COURT: Mr. Davis and Mr. Findling, at the lunch  
14 break one of the jurors was -- I think Ms. Wright told you, Juror  
15 No. 13 went to her car and received a very upsetting message. So  
16 we're going to bring her in first and find out what the message  
17 was, and that might change whether she stays or not.

18 All right. Bring Juror No. 13 in.

19 Have her sit right there. Please have a seat right  
20 there, ma'am.

21 PROSPECTIVE JUROR: Would it be okay if I spoke to you  
22 in private?

23 THE COURT: Yes. Do you have any objection to that?

24 MR. DAVIS: No, sir.

25 MR. FINDLING: No, sir.

1 THE COURT: I'll talk to her in the jury room privately,  
2 and then I'll report back to you.

3 (Juror No. 13 speaks to the judge privately.)

4 (At side bar.)

5 THE COURT: Juror No. 13, I can't remember her name, is  
6 pregnant. She went to the car today and found out that there's  
7 something wrong with the pregnancy, and she has to go see the  
8 doctor and they will take extra tests next week. I tried not to  
9 get too personal, but the problem may be affecting -- it is  
10 affecting the pregnancy. I don't think she would be good. I just  
11 told her she is excused. If you-all are upset, I'll bring her  
12 back.

13 MR. DAVIS: We figured out, based on her  
14 questionnaire -- we already knew she was going to tell you that,  
15 because she indicated something like that in her questionnaire.

16 THE COURT: Well, she found out today she has a problem.

17 MR. FINDLING: Okay.

18 Your Honor, while we're here, I've identified five -- I  
19 don't know if we're going to make it through this panel, but five  
20 people indicated things that probably should be done outside of  
21 the presence. I can go on the record and give those to you.

22 THE COURT: Give me those numbers. The way I counted, I  
23 have 28 qualified.

24 MR. FINDLING: Yes, we have 28 qualified.

25 THE COURT: So I'm going to qualify 40. So my thinking,

1 when we hit the number -- we'll go through this panel. I think  
2 we'll get what we need. If we get what we need outside of those  
3 five, I don't see the need to talk to them. If you don't, we will  
4 talk to these other three first.

5 MR. FINDLING: Okay.

6 THE COURT: If any of these other three count, we may be  
7 closer to the number.

8 MR. FINDLING: Okay. At the appropriate time --

9 THE COURT: I have no problem talking to five.

10 Yes, sir.

11 MR. DAVIS: Yeah, I guess we just want to make sure that  
12 those five don't get removed from the panel before we know even  
13 who we're talking about.

14 THE COURT: No, no.

15 MR. DAVIS: Okay.

16 THE COURT: I'll wait until y'all tell me.

17 MR. DAVIS: Okay.

18 (On the record at 1:44 p.m.)

19 THE COURT: For the record, Ms. Viola, Juror 13 has been  
20 excused by the Court.

21 THE DEPUTY CLERK: No. 20?

22 THE COURT: Yes, 20.

23 THE DEPUTY CLERK: Have a seat right there in the first  
24 chair.

25 THE COURT: This is Juror No. 20, Bobby Maurice Blount.



1           Mr. Blount, the lawyers indicated they may have a couple  
2 of additional questions for you. Any from the government?

3           MR. KITCHENS: A few short ones, Your Honor.

4           THE COURT: All right.

5           MR. KITCHENS: Mr. Blount, thanks for your time again.

6           PROSPECTIVE JUROR: Thank you.

7           MR. KITCHENS: A handful of additional questions. I  
8 think we touched on some of your views a little bit before.

9           I think one thing on your questionnaire I just wanted to  
10 make sure we have some clarity on. I think you indicated that you  
11 may be inclined to believe the allegations based on the  
12 description that was provided in the questionnaire. I just wanted  
13 to see -- and I know we talked about it a little bit this morning  
14 regarding, again, the need to look at the evidence. And we  
15 appreciate your candor in the questionnaire for putting that down.  
16 But, of course, you haven't heard any evidence in the case yet.

17           Would you be able to hear all of the evidence in the  
18 case before making any sort of decision?

19           PROSPECTIVE JUROR: I believe I would.

20           MR. KITCHENS: The Court -- again, Judge Jones will  
21 provide you instructions about how to apply the law to the  
22 evidence.

23           Do you think you would be able to follow the judge's  
24 instructions?

25           PROSPECTIVE JUROR: I believe I would.

1 MR. KITCHENS: And throughout the trial you will be  
2 given instructions about what is permissible to consider and  
3 what's not permissible to consider.

4 Would you be able to follow those instructions?

5 PROSPECTIVE JUROR: Yes.

6 MR. KITCHENS: Are there certain times where, you know,  
7 you may come in with a certain belief or opinion about where  
8 things may lead and then it turns out once you hear the facts it  
9 goes in a different direction?

10 PROSPECTIVE JUROR: It's possible. In the nature of  
11 what I do, I work with politicians and government officials. And  
12 working on the inside of it in recent years, I've gotten a  
13 completely different picture of how things truly work sometimes.  
14 And so it jades you after many, many years working in this sector,  
15 the government sector. You just -- you're a little bit more  
16 skeptical, you know, on things. But I think in this process --  
17 you know, I've learned to, you know, to look at the facts and try  
18 to assimilate my opinions and things based on the facts that are  
19 presented.

20 MR. KITCHENS: So just to be clear, even taking into  
21 account I understand those opinions, would you base your decision  
22 purely on the instructions provided by the judge and the law and  
23 evidence as presented in this case?

24 PROSPECTIVE JUROR: I will do my absolute best to do  
25 that, yes.

1 THE COURT: And will you follow those instructions?

2 PROSPECTIVE JUROR: Yes.

3 MR. KITCHENS: No more questions.

4 THE COURT: Ms. Goldberg or Mr. Findling?

5 MR. FINDLING: Mr. Blount, thanks for coming back.

6 PROSPECTIVE JUROR: Thank you.

7 MR. FINDLING: It's correct the -- as was stated to you,  
8 there was a summary, a very short summary, a three- or  
9 four-sentence -- and I appreciate your honesty. You indicated an  
10 inclination just upon reading that to believe that Pastor Bickers  
11 is guilty. So what about that caused an inclination? What about  
12 that description?

13 PROSPECTIVE JUROR: It's hard to categorize -- again,  
14 working in the sector that I work in, K-12 government,  
15 kindergarten through 12th grade, I come across a lot of colleagues  
16 and politicians in my job. And as a chief information officer, I  
17 have access to information sometimes that kind of shows that  
18 people can be a little bit disingenuous when they are presenting  
19 something to the public or to constituents or to even staff  
20 sometimes. And so, you know, it's -- it's kind of the nature  
21 of -- of the beast.

22 When you are watching TV and reading the paper and  
23 looking at your iPad to catch the latest greatest, you know,  
24 stories that are coming out, you have a tendency to go, yup, I  
25 believe it. You know, it's one of those things that I see in my

1 own organization and in other organizations.

2 And, you know, when you're selected for jury duty, you  
3 know, I always want to think that I'm going to be fair to the  
4 person that's on trial. And so...

5 MR. FINDLING: You've been everything but disingenuous,  
6 because I appreciate you being genuine about this. And you're  
7 saying that you believe that you can be.

8 PROSPECTIVE JUROR: I believe I can, yes.

9 MR. FINDLING: But we really can't believe -- believe in  
10 does not suffice here, to be honest with you.

11 PROSPECTIVE JUROR: I understand.

12 MR. FINDLING: It needs to be an absolute, I can be  
13 fair. And it appears that you're bringing in your interaction  
14 with the political beast, so to speak, as you said.

15 Are you going to be able to separate out -- if you  
16 can't, you can't. You're in a different position than other  
17 people. The fact that you interact with politicians because of  
18 your job, are you going to have a difficult time severing that  
19 from your ability to sit here over three weeks?

20 PROSPECTIVE JUROR: I know you want an absolute yes or  
21 no answer.

22 MR. FINDLING: If you can.

23 PROSPECTIVE JUROR: I'm going to be honest and say, I  
24 will listen to the evidence.

25 THE COURT: Here is the key question.

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: Mr. Findling is right.

3 PROSPECTIVE JUROR: Yes.

4 THE COURT: I need to know right now, though. I can't  
5 wait until later. Will you be fair and impartial? That's the  
6 first part.

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Can you take the things you dealt with,  
9 politicians, elected officials and put it to the side?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: And listen to the evidence in this case, the  
12 law I give you, and render a verdict based on the evidence and the  
13 law you hear in this case?

14 PROSPECTIVE JUROR: Yes, I can, Your Honor.

15 THE COURT: And lastly I need to know, Mr. Findling  
16 needs to know is will you -- can you tell us right now, can you  
17 tell Mr. Findling right now absolutely you're going to be fair and  
18 impartial?

19 PROSPECTIVE JUROR: I will be fair and impartial. Thank  
20 you.

21 MR. FINDLING: That's all, Your Honor.

22 THE COURT: Thank you, sir. You can step back outside.

23 Juror 31, Mr. Perrin.

24 Mr. Perrin, the lawyers have a couple of additional  
25 questions that they wanted to ask. We'll start with Mr. Kitchens.

1 MR. KITCHENS: Thank you, Your Honor.

2 Hello again, Mr. Perrin. Thanks for coming back up.

3 I want to talk first just so -- in some of the responses  
4 you gave on the questionnaire and dig in just a little bit more.

5 I think the questionnaire asked, based on a brief  
6 description of the case, you know, kind of your opinions or  
7 impressions of it. And I think you indicated that, you know,  
8 based on the description, the defendant most likely did it, unless  
9 you heard proof otherwise that you would lean toward guilty. And  
10 I want to try to ask you a little bit more about that. We  
11 appreciate very much your honesty in that questionnaire.

12 I think from the instructions and what you heard this  
13 morning about the need to consider just the evidence that is  
14 presented to you -- and, of course, you haven't heard about the  
15 case itself -- would you wait until hearing the evidence before  
16 making a decision in this case?

17 PROSPECTIVE JUROR: I'll do my best. I,  
18 obviously -- you read and -- media and news you always read and  
19 assume what you're reading is correct. But, obviously, if there's  
20 evidence and everything, I'm going to go into any case with an  
21 open mindset, how it should be, as best as I can.

22 MR. KITCHENS: I want to be clear here when you say I'll  
23 do my best. Will you be able to set aside what you may have read  
24 or heard about the case, what you may have seen in the media, and  
25 just render a decision based on the law and evidence that's

1 provided to you in the case?

2 PROSPECTIVE JUROR: To the best of my ability, I will  
3 be. I know you can't -- everyone always has underlying thoughts  
4 in the back of their head. I come into anything and in any case,  
5 whether you're walking down the street or you're dealing with a  
6 customer or whatnot, you go in with preconceived notions and you  
7 try to start neutral. And I will try to start as neutral as I  
8 can.

9 MR. KITCHENS: Now, Judge Jones at various points, he is  
10 going to give you instructions about what you can consider and  
11 what you can't consider. As we noted this morning, you won't be  
12 able to consider anything that you may have previously read in the  
13 media. And there are cases where the evidence may be much  
14 different than what you may have seen in the media.

15 Would you follow just the evidence that you were told  
16 you were permitted to consider and apply the law to that evidence?

17 PROSPECTIVE JUROR: To my very best that I can, I will.

18 MR. KITCHENS: Let me ask you a little bit more about  
19 your -- and congratulations, of course, with your wife. But I  
20 just want to get a little bit more about that as well.

21 I think you noted when you were asked about that this  
22 morning, that if you're here, you're here. Can you tell us a  
23 little bit more what you meant by that?

24 PROSPECTIVE JUROR: My mindset will be here when I'm  
25 here. My wife's 34 weeks now. If the case goes as long as it is,

1 I would be up to 37 weeks, 38 weeks, and I'm just -- the baby will  
2 have a mind of its own whenever it does decide to come, and  
3 whether -- and how happy my wife will be that I'm away during the  
4 day without my phone or anything.

5 MR. KITCHENS: Understood. And that was going to be one  
6 of my questions. If you did have occasional access to your phone,  
7 is that something --

8 THE COURT: Mr. Kitchens, he's not going to have any  
9 access to his phone.

10 MR. KITCHENS: I appreciate it, Judge Jones. I was just  
11 trying to figure out -- given everything, is that going just in  
12 the back -- and please be as honest as you can. Is that something  
13 that is going to be in the back of your mind?

14 PROSPECTIVE JUROR: I mean, yeah. I'm a millennial.  
15 I'm used to having my phone on me at all times. That would be  
16 something different.

17 MR. KITCHENS: Okay. We appreciate it. Thank you, Mr.  
18 Perrin.

19 THE COURT: Ms. Goldberg.

20 MS. GOLDBERG: Thank you, Your Honor.

21 So, Mr. Perrin, just kind of going off of what you just  
22 said, since you won't have your phone on you, would you be  
23 inclined to be racing back to get your phone seeing if there were  
24 any messages or anything like that? Would that be a concern to  
25 you?



1 PROSPECTIVE JUROR: I don't know that -- I can't go  
2 anywhere while I'm here. I've got to do what I've got to do. I  
3 probably -- once at the end of the day, I'll go back and do  
4 everything I usually do on my phone. But when I'm here, I'll be  
5 here to the best I can.

6 THE COURT: Let me add this. We will give you a number  
7 to give your wife if you are on this jury to call in my office.  
8 Whereas you won't have access to a phone, it's not like your wife  
9 won't be able to get in contact with you.

10 PROSPECTIVE JUROR: Yeah.

11 MS. GOLDBERG: Okay. I want to go back to some of the  
12 stuff that was on your questionnaire, also. That's kind of why we  
13 had you by yourself here.

14 So you said you kind of heard about, you know, things in  
15 the media. Can you tell us what you've heard?

16 PROSPECTIVE JUROR: Just that it was a -- from her case,  
17 and nothing that I can pinpoint. I just remember specially the  
18 previous mayor, there being some investigations into him and  
19 that -- something that, you know, just reading on the news. I  
20 don't really -- it wasn't a topic I dove into, just more the first  
21 couple of paragraphs and onto the next thing.

22 MS. GOLDBERG: Okay.

23 PROSPECTIVE JUROR: So any particulars, I can't come up  
24 with anything from...

25 MS. GOLDBERG: Okay. So I'm curious, you know, what

1 caused you on your questionnaire -- you wrote some stuff, like,  
2 that you might be leaning towards guilty. What was your mindset  
3 when you were kind of filling those things out?

4 PROSPECTIVE JUROR: I'm just -- I don't want to say  
5 anything one way or another. I'm somewhat -- I'm -- I believe and  
6 go by a lot of times what I read. Now, if I come in here I'll  
7 keep an open mind, and, obviously, someone's life is much more on  
8 a balance on what you just knee -- knee jerk thing of what you  
9 read on something.

10 MS. GOLDBERG: And that's fair. So would there have to  
11 be -- since you have some of these thought about something you've  
12 already read, would there have to be something different for it to  
13 -- would you start having those in your mind and thinking about  
14 those things?

15 PROSPECTIVE JUROR: I mean, obviously, if it's a he  
16 said, she said, then it's not going to be something that I would  
17 be willing to destroy someone's life over just -- like, if I went  
18 up on the trial and I said, well, I read this in the newspaper,  
19 and this must be that, it's not something I would destroy  
20 someone's life over.

21 MS. GOLDBERG: I understand that. But, I mean, do you  
22 think that that would -- would you have that prior knowledge,  
23 would that come into play in any way? And it's okay if we're just  
24 having a discussion about it, but do you think that would factor  
25 into your thought process at all?

1 PROSPECTIVE JUROR: I don't believe so. Like I said, I  
2 don't remember -- I think I might have read something about her,  
3 but nothing that I -- nothing that I can say that someone said  
4 this on a thing would be any...

5 MS. GOLDBERG: Okay. And so when you indicate things  
6 like, you know, based on what you read that she likely did it, are  
7 you operating from a position of, you know, having to get moved  
8 from that position or understanding that there's nothing that you  
9 know about this case yet? Where do you fall on that?

10 PROSPECTIVE JUROR: Obviously, everything I see in the  
11 case will be something brand-new to me. I don't remember anything  
12 particular from anything I read. It was just, you know, maybe one  
13 sentence and on to the next thing, next thing I read.

14 MS. GOLDBERG: And nothing, in particular, that you  
15 remember that you recall from reading about it?

16 PROSPECTIVE JUROR: No.

17 MS. GOLDBERG: Nothing stands out to you at all?

18 PROSPECTIVE JUROR: No.

19 MS. GOLDBERG: Okay.

20 THE COURT: I have a couple of questions.

21 Something you said to Mr. Kitchens that concerns me.

22 You said you will put those preconceived ideas in the  
23 back of your mind. It can't be in the back of your mind. They've  
24 got to be completely out of your mind. In other words, can you do  
25 that?

1           The people that write articles in the newspaper, they're  
2 just doing their job. All right?

3           PROSPECTIVE JUROR: Yes.

4           THE COURT: But you can't base your verdict on what you  
5 read in the newspaper or saw on the television.

6           Can you take what you heard on the television or read in  
7 the newspaper and take it out of -- perceived things out of your  
8 mind, and render a verdict based on the evidence and the law?

9           In the back of your mind, it may come in the front of  
10 your mind while you're in that chair. And I need to know that  
11 you're going to put that out of your mind.

12           PROSPECTIVE JUROR: Yeah. I misspoke in that way. When  
13 I said the back of my mind, I meant it's a clean sheet of paper.

14           THE COURT: Okay.

15           MS. GOLDBERG: One moment, Your Honor.

16           Just briefly, Your Honor.

17           Mr. Perrin, I think in your question it also indicates  
18 that you had conversations with other people about it. Can you  
19 tell us about that, what you recall about that?

20           PROSPECTIVE JUROR: Not in this particular case, I  
21 didn't have conversation -- maybe I talked to my family after  
22 reading things. I work in a family business. We were just jaw  
23 jacking whatever we read or talked about.

24           MS. GOLDBERG: Can you tell us the content of what you  
25 all talked about that?

1 PROSPECTIVE JUROR: It's more that. Just -- we're in  
2 the business -- I'm in the car business. In Chicago, the  
3 government sometimes is a little bit tougher to deal with in  
4 Chicago. Someone's husband comes in and wants a free oil change  
5 or something because of who they know type thing. That's kind of  
6 in the distance, just kind of talking back and forth.

7 MS. GOLDBERG: Okay. Because you indicated that you  
8 talked about maybe how crazy the situation was in the  
9 questionnaire. So what did you mean by that?

10 PROSPECTIVE JUROR: That I'm not quite sure. Just --  
11 I'm -- you know, talking back and forth. Again, if we talked  
12 anything, I -- specific about this case and what it -- was more  
13 about Kasim Reed or something like that. It had nothing to do  
14 with -- about her. Just like I said, based -- I skimmed at most,  
15 and I don't really pay any attention to any names or anything.

16 MS. GOLDBERG: Okay. Thank you.

17 THE COURT: Thank you, sir. You can step back out.

18 Ms. Pye, the lawyers had a few -- you can be seated,  
19 ma'am. You don't have to stand. The lawyers have a couple of  
20 questions they want to ask you, ma'am.

21 We'll start with Mr. Kitchens.

22 PROSPECTIVE JUROR: Margie Pye.

23 MR. KITCHENS: Thank you, Ms. Pye.

24 Just a few others questions about things you indicated  
25 on your questionnaire. I think you were given a brief description

1 of the case and asked if you had any sort of opinions based on  
2 that brief description that's provided. And you provided a  
3 description of -- an opinion regarding Mayor Reed.

4           Based on what we discussed this morning that Mayor Reed,  
5 of course, is not a defendant in this case, he's not going to be a  
6 witness in this case, is that going to be something that is going  
7 to affect how you view -- if you were to serve as a juror, how you  
8 would view the evidence in this case?

9           PROSPECTIVE JUROR: No.

10           MR. KITCHENS: I think we discussed this morning as  
11 well, that, of course, the judge will give instructions to you  
12 about what -- you know, give you some guidance as the case goes  
13 along in terms of the types of things that you are permitted to  
14 consider and things that you should not. Do you think that you  
15 would follow those instructions?

16           PROSPECTIVE JUROR: Yes.

17           MR. KITCHENS: Do you -- have you read any media reports  
18 about this particular case?

19           PROSPECTIVE JUROR: No, I haven't heard anything since  
20 it was on the news, what, a couple -- few years ago, a few years  
21 ago.

22           MR. KITCHENS: What do you mean when you saw the news a  
23 few years ago?

24           PROSPECTIVE JUROR: Oh, just fraud charges, taking  
25 bribes. That's about it. I don't remember much about it, just

1 that.

2 MR. KITCHENS: And do you understand that anything you  
3 may have seen in the media or in the news are things that you  
4 cannot consider for purposes of this case, and you would have to  
5 consider only the evidence that's presented and apply the law to  
6 those facts?

7 PROSPECTIVE JUROR: Yes.

8 MR. KITCHENS: Would, you know, your recollection of  
9 seeing those news stories from a few years ago, would you be able  
10 to put that out of your mind and only base your decision on the  
11 evidence that's presented and the law that's provided and  
12 instructed from Judge Jones?

13 PROSPECTIVE JUROR: Yes.

14 MR. KITCHENS: Do you think you would be able to be a  
15 fair and impartial juror that would consider only the evidence  
16 presented in this case?

17 PROSPECTIVE JUROR: Yes.

18 MR. KITCHENS: Thank you, Ms. Pye.

19 THE COURT: Ms. Goldberg.

20 MS. GOLDBERG: Thank you, Your Honor.

21 Good afternoon, Ms. Pye. Just following up on some of  
22 those -- some of the questions that Mr. Kitchens just asked you.

23 You put on the questionnaire something about the Kasim  
24 Reed administration are crooks. Can you tell us about that and  
25 what kind of caused you to write that?

1 PROSPECTIVE JUROR: From what I saw on the news about  
2 the whole case, the administration being charged of bribery  
3 charges, and most of them went to jail.

4 MS. GOLDBERG: Okay. And specifically, do you remember  
5 any particular cases or what was your thought process when you saw  
6 that?

7 PROSPECTIVE JUROR: I can't remember, but my thought  
8 process when I seen it was they're crooks.

9 THE COURT: Ma'am, I can't quite hear you. Can you say  
10 that last part again?

11 PROSPECTIVE JUROR: I'm sorry.

12 THE COURT: Could you pull the mic up a little bit  
13 closer. What did you say? That last part. Can you repeat your  
14 answer?

15 PROSPECTIVE JUROR: Just from what I saw on the news,  
16 that they were crooked. They all were convicted and went to jail.

17 THE COURT: You came to that conclusion? You didn't  
18 actually read that in the news?

19 PROSPECTIVE JUROR: No. Just by watching it on the  
20 news.

21 MS. GOLDBERG: So you indicated you formed an opinion.  
22 Can you tell us what that opinion was?

23 PROSPECTIVE JUROR: That was the opinion.

24 MS. GOLDBERG: That was your opinion, that they were  
25 crooked?



1 PROSPECTIVE JUROR: Um-hum.

2 MS. GOLDBERG: And specifically with this case, you said  
3 you indicated you read some news or media about this case?

4 PROSPECTIVE JUROR: I didn't read anything. Just what I  
5 saw on the news.

6 MS. GOLDBERG: Okay. And what did that make you think?

7 PROSPECTIVE JUROR: That they were doing stuff they  
8 shouldn't have been doing.

9 MS. GOLDBERG: Okay. Does that extend to Ms. Bickers as  
10 well?

11 PROSPECTIVE JUROR: Part of the administration.

12 MS. GOLDBERG: Yes?

13 PROSPECTIVE JUROR: Yes.

14 MS. GOLDBERG: No further questions.

15 THE COURT: I'm not quite following what you're saying.  
16 It's sort of contradicting. You indicated to Mr. Kitchens that  
17 you could be more or less fair and impartial. But the answers I'm  
18 hearing now, you're saying that the administration was crooked?

19 PROSPECTIVE JUROR: That was the opinion I formed while  
20 watching the news.

21 THE COURT: Is that still the opinion you have now?

22 PROSPECTIVE JUROR: I don't -- actually, I don't think  
23 about it. I haven't thought about it until this came up.

24 THE COURT: We need to know now what you're thinking  
25 now. Because I can't wait until you're one of those 12 and find

1 out what you're really thinking. Here's the question. If I'm  
2 hearing you correctly, you read something in the newspaper or  
3 heard something on television about the case and some of the  
4 people in the Reed administration; right?

5 PROSPECTIVE JUROR: Right.

6 THE COURT: What I need to know now is you understand  
7 that Pastor Bickers comes to this trial with a presumption of  
8 innocence?

9 PROSPECTIVE JUROR: Correct.

10 THE COURT: And that presumption of innocence remains  
11 with her until the government proves beyond a reasonable doubt the  
12 charges in this indictment. And if they fail to do that, then you  
13 find her not guilty. The question is, can you do that?

14 PROSPECTIVE JUROR: I can.

15 THE COURT: Will you listen to the evidence in this  
16 case --

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: -- and the law I will give you and apply  
19 that and render a verdict?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Can you take what you read in the newspaper  
22 and what you heard on the television and disregard that and base  
23 your verdict on what you hear in this courtroom only?

24 PROSPECTIVE JUROR: Yes.

25 THE COURT: I can hold you to that; right?

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: This is serious. This is serious.

3 PROSPECTIVE JUROR: I understand.

4 THE COURT: Can and will you do that?

5 PROSPECTIVE JUROR: Yes.

6 MS. GOLDBERG: And just to, you know -- Judge Jones is  
7 pretty direct about it, but I just want to make sure, those  
8 thoughts that you have are pretty strong thoughts. Would they  
9 factor in, even considering you understand your role as a juror,  
10 would they factor in as you were to sit on a jury and eventually  
11 render a decision, would that factor into your thought process,  
12 these opinions that you already have?

13 PROSPECTIVE JUROR: I wouldn't think so, because the  
14 opinion was from years ago from what I saw on the news. What I  
15 see -- what I have before me would not -- it would just be what  
16 I'm looking at.

17 MS. GOLDBERG: Okay. Thank you.

18 THE COURT: Thank you, ma'am. You can step back  
19 outside.

20 Good afternoon, Ms. Taylor.

21 PROSPECTIVE JUROR: Good afternoon.

22 THE COURT: The lawyers have a few extra questions for  
23 you.

24 PROSPECTIVE JUROR: All right.

25 THE COURT: We'll start with Mr. Kitchens.

1 MR. KITCHENS: Thank you Your Honor.

2 PROSPECTIVE JUROR: Do you want me to state my name  
3 again?

4 THE COURT: No.

5 MR. KITCHENS: Thanks, Ms. Taylor. A few brief  
6 questions.

7 You may remember on the questionnaire you were asked if  
8 you had ever seen any news reports that may relate to this case or  
9 anything like that, and I think you indicated that you had seen  
10 some TV news. Could you tell us --

11 PROSPECTIVE JUROR: I thought I had seen some TV news,  
12 but I think it was a different case. I don't think it was this  
13 one.

14 MR. KITCHENS: That's what I was going to ask. I think  
15 in the questions this morning you indicated you knew something  
16 about the Atlanta Public Schools' case.

17 PROSPECTIVE JUROR: Yes, that was just based upon media  
18 reports and that there was a school scandal. Honestly, I don't  
19 really watch the news, and I put that on my questionnaire. And I  
20 indicated, too, that the only news that I really get is what my  
21 husband insists on telling me, to be completely honest.

22 MR. KITCHENS: Fair. We appreciate, as always, your  
23 candor on it.

24 So from what you remember, do you think you've seen or  
25 read any news about this particular case?

1 PROSPECTIVE JUROR: No. Definitely not.

2 MR. KITCHENS: I think you indicated that based, you  
3 know, perhaps, on the description that's provided in the  
4 questionnaire, that you -- you know, expressed an opinion that if  
5 she's fired and living well on taxpayer dollars -- that could be  
6 the circumstance here.

7 Do you understand, of course, that there hasn't been any  
8 sort of evidence or any facts presented in this case?

9 PROSPECTIVE JUROR: Correct.

10 MR. KITCHENS: Would you wait to hear all of the  
11 evidence that's presented before rendering a decision in this  
12 case?

13 PROSPECTIVE JUROR: Of course.

14 MR. KITCHENS: Judge Jones, of course, as we've  
15 discussed, he's going to provide throughout the case descriptions  
16 about, you know, the types of evidence that you can consider and  
17 what you may not consider. That would certainly include, as we  
18 discussed this morning, certainly could not consider any news  
19 story or any news reports you may have seen or read or heard about  
20 from your husband.

21 Do you think you would follow those instructions to  
22 render a verdict just based on the evidence and the law?

23 PROSPECTIVE JUROR: Most definitely.

24 MR. KITCHENS: Based on everything, and maybe that  
25 opinion in kind of an unrelated matter, would that be something

1 that you would be able to flush out of your mind and just listen  
2 to the evidence in this case?

3 PROSPECTIVE JUROR: Of course.

4 MR. KITCHENS: And do you think you would be able to be  
5 a fair and impartial juror --

6 PROSPECTIVE JUROR: Most definitely.

7 MR. KITCHENS: -- based on the evidence?

8 PROSPECTIVE JUROR: Most definitely.

9 MR. KITCHENS: Thank you.

10 PROSPECTIVE JUROR: You're very welcome.

11 THE COURT: Mr. Goldberg.

12 PROSPECTIVE JUROR: Also, the news that my husband gives  
13 me is worldly news, not local. He's always pushing that to me.

14 MS. GOLDBERG: Good afternoon, Ms. Taylor.

15 PROSPECTIVE JUROR: Good afternoon.

16 MS. GOLDBERG: Just really briefly. Same type of  
17 question, because I think we noticed the same thing on the  
18 questionnaire.

19 So I'm just curious, and Mr. Kitchens kind of read the  
20 quote that, obviously, kind of stuck out to us, that you had heard  
21 something about she got fired and was living very well on taxpayer  
22 dollars.

23 PROSPECTIVE JUROR: Right.

24 MS. GOLDBERG: I just ask you where that came from and  
25 what caused you to write that.

1 PROSPECTIVE JUROR: If I recall, she was a Caucasian  
2 lady and they had gone into her home and there was lots of lavish  
3 things, cars, TVs, purses, money -- there was a lot. And I cannot  
4 remember her name. But I know she worked for the government, I  
5 believe. And I don't know if it was Atlanta or the state.

6 THE COURT: She's talking about another case I know,  
7 Ms. Goldberg.

8 MS. GOLDBERG: And so you don't remember anything  
9 specifically about Pastor Bickers or this case?

10 PROSPECTIVE JUROR: Honestly, I know nothing about her.  
11 I didn't even know who she was.

12 MS. GOLDBERG: Okay. Thank you.

13 THE COURT: Thank you, ma'am. You can step out.

14 PROSPECTIVE JUROR: Thank you.

15 THE COURT: Ms. Goldberg, Mr. Kitchens, the case that  
16 this juror is talking about is the case -- the lady worked for the  
17 GBI. Mr. Davis handled that case. They went into her house and  
18 she had some fine purses, let's put it that way. It's not in this  
19 case.

20 Okay. Any challenges for cause from Mr. Kitchens?

21 MR. KITCHENS: Not from the government, Your Honor.

22 THE COURT: Ms. Goldberg or Mr. Findling?

23 MS. GOLDBERG: Your Honor, we do challenge Juror No. 31,  
24 Mr. Perrin. I mean, from his questionnaire, he indicated on  
25 multiple occasions that he was leaning towards guilty. He had

1 already formed an opinion. His answers today, although coming  
2 over a little bit, were not convincing. He continually brought up  
3 the fact that, you know, he would struggle with it.

4 THE COURT: How do you overcome his answers to my  
5 questions, emphatically, absolutely, I would be fair and  
6 impartial? I would not have any preconceived ideas in the back of  
7 my mind. How do I overcome those answers?

8 MS. GOLDBERG: I think, Your Honor, he did -- I mean,  
9 from having him here, it took many questions for him to get to  
10 that point. He struggled with it. The questionnaire, multiple  
11 times, he wrote that he believes she was guilty. He also has the  
12 situation with his pregnant wife. I think in conjunction --

13 THE COURT: That's a different -- that's another issue  
14 we'll look at. The first issue I'm looking at is the challenge  
15 for cause. His wife is pregnant, that's just a hardship. My  
16 question is that, and I made a point of questioning him after you  
17 questioned him, about he told Mr. Kitchens that he might have some  
18 preconceived ideas in the back of his mind. But on questioning he  
19 said he misspoke, he doesn't have any preconceived ideas,  
20 disregard them, he could be fair and impartial. I was trying to  
21 write down what he said. And I asked him just absolute, and he  
22 said yes. I'm going to tell you -- I why should not believe what  
23 he's said, is what I'm saying to you.

24 MS. GOLDBERG: What he said, how long it took him to get  
25 there, the answers on his questionnaire, and to be honest, some of



1 his body language today, he appears to be struggling with those  
2 answers. So I think based on all of that together, I would ask  
3 that we dismiss him for cause.

4 THE COURT: Do you want to respond?

5 MR. KITCHENS: I think he was pretty transparent and  
6 open with both the -- with everyone's questions.

7 THE COURT: She makes a good point, though. He did  
8 say -- I didn't read it -- but Ms. Goldberg pointed out what he  
9 said about -- that he thought she was guilty.

10 MR. KITCHENS: He said something about leaning towards,  
11 you know, guilty based on --

12 THE COURT: Of course, we have a couple of other jurors  
13 that nobody is challenging that said something not quite the same,  
14 and nobody is challenging them.

15 MR. KITCHENS: He already stated that he would keep an  
16 open mind and that he would judge the case based on the evidence  
17 and the law that is presented. He said specifically that he  
18 didn't read anything about this case, really didn't know about it.  
19 That he would not -- I think when he was asked would you base your  
20 decision -- at any part, based on preconceived notions, and he  
21 said no.

22 THE COURT: Let me say this, Mr. Kitchens. A judge told  
23 me one time when I was trying a case, he said you know, Steve, we  
24 have plenty of jurors and sometimes losing one might be a wise  
25 thing to do.

1 MR. KITCHENS: Fair. I think the concern, which I think  
2 you noted, is a different issue, is the hardship. I don't think  
3 it reaches the cause standard. I think the hardship is certainly  
4 a closer question because, of course, it is a significant life  
5 event.

6 THE COURT: Let's do this, Mr. Kitchens and Ms.  
7 Goldberg. I think in this case, I'm going to excuse this juror  
8 over the hardship. I can't say, Ms. Goldberg, I should excuse him  
9 based on his answers, because I have to take them as being  
10 truthful when they tell me something. But I want to be  
11 consistent, and I just kind of excused someone because of a  
12 pregnancy -- not the same thing, but I think in this case, Mr.  
13 Kitchens, I think it is probably wise to excuse this juror.

14 So what I have, I have 32, 38 and 20 -- 20 has already  
15 been counted, 32 and 38. So I have 30 jurors right now qualified,  
16 and I want to qualify 40. And we've got 20 out there. So I think  
17 after 20, we probably need to get ten more. I may be wrong. Once  
18 we get to 40, then we probably need to question the next panel.

19 31 I struck. 31 is removed for cause.

20 Yes, sir.

21 MR. FINDLING: Your Honor, do you want me to identify  
22 those five in open court or would you like us to approach and talk  
23 about it?

24 THE COURT: Let's do it now before we bring them in  
25 here. Who are the five? Give me the numbers, and I'll put names

1 to them.

2 MR. FINDLING: Your Honor, we have told the government  
3 we will not question 45. That was the -- we got the dagger from  
4 one panel. They got the slimy prosecutors. We will not question  
5 45. What goes around comes around, and both sides have taken a  
6 position.

7 THE COURT: As long as they don't stick a dagger in the  
8 judge.

9 MR. FINDLING: Your Honor, we are not going to question  
10 47 about one of his questions, unless we have to do it, unless  
11 there is an agreement to let him go. That says that criminal  
12 defense attorneys do it for the money. We would rather do that  
13 privately, unless they're going to be excused. That's number 47,  
14 that says my colleagues and I are doing this for the money.

15 50, Pastor Bickers is a bad person.

16 And 55, I think both parties, the government and the  
17 defense, are not going to question about the private reason that  
18 she wants to share with the Court -- he or she, I can't  
19 remember -- why they can't serve on the jury. 55 has a private  
20 reason.

21 And 60 has already jumped to sentencing.

22 THE COURT: Has what?

23 MR. FINDLING: 60 has already jumped to sentencing and  
24 believes that Pastor Bickers should go to jail. And I'm sorry,  
25 Your Honor, both parties have a problem with one of the jurors.

1 44 says that they live out of district.

2 THE COURT: Okay. Let's do this. First of all,  
3 Mr. Kitchens and Mr. Davis, I have 44, 45, 47, 50, 55, and 60.  
4 Are any of these ones where you-all are going to kind of say,  
5 Judge, we already feel they should be excused for cause?

6 MR. KITCHENS: 45, that was the one he indicated -- yes,  
7 we would agree with that based on the comment from the  
8 prosecution.

9 THE COURT: Mr. Findling, I assume you would agree that  
10 this person should be excused?

11 MR. FINDLING: Yes.

12 THE COURT: Who else? Mr. Findling has already  
13 indicated -- before I go to Mr. Findling, the only one I probably  
14 need to question is 44 and 50, but I don't know if the government  
15 agrees with that?

16 MR. KITCHENS: I think we need to question 44 just to  
17 confirm, one question.

18 THE COURT: Yes. What I'm going to do before I bring  
19 the 20 in, I'm going to bring in 44 and 50. I need to know if I  
20 need to bring anybody else in while I'm doing it one by one.

21 MR. KITCHENS: I think it is 55, Your Honor, that had  
22 the private hardship matter. I believe that was the one.

23 THE COURT: 44 and 55. What about 50? I thought I may  
24 need to bring in 50 to question?

25 MR. KITCHENS: I think for 47 and 50 we probably want to

1 bring them in separately for questions, I think, based on Mr.  
2 Findley's request.

3 THE COURT: Okay. I'm bringing in 44, I'm bringing in  
4 47, 50, 55, and what about 60?

5 MR. KITCHENS: Your Honor, I wasn't -- I'm not sure if  
6 we saw the same question on the questionnaire that the defense  
7 did.

8 THE COURT: This is the one that thought Ms. Bickers  
9 should already be sentenced.

10 I think what we need to do is probably bring in 60 for  
11 questioning. 60 -- you know, sometimes people -- I'm learning  
12 from just some of the ones that we've already questioned, they're  
13 saying things in the questionnaire and then when we talk to them,  
14 it kind of changes a little bit. As Ms. Goldberg points out,  
15 sometimes it changes enough to let them stay.

16 MR. FINDLING: Your Honor, let me explain my logic for  
17 60, someone that's expressed if Pastor Bickers is found guilty she  
18 should go to jail. Because sentencing is not within the province  
19 of this jury, we can't question her in front of other jurors  
20 because then there is a presumption of guilt.

21 THE COURT: That's why I say let's bring 60 in.

22 MR. FINDLING: Yes.

23 THE COURT: So the one I am automatically excusing for  
24 cause is just 45?

25 MR. KITCHENS: Correct, Your Honor.

1           THE COURT: Let's do this before we bring all 20 in.  
2 Let's bring these four in right now while we're in this setting,  
3 and then question them and then let's go from there.

4           Wait a minute. Hold on, hold on. I need to explain  
5 things to them like I explained to everybody else, and I don't  
6 want to do that seven times. If I bring in 44, 47, 50, 55, and  
7 60, then I have to explain all the same things about telling the  
8 truth.

9           Let's just bring them in and then I'll poll them later.  
10 Just don't question them. Just bring the whole panel in.

11           (Jury in at 2:38 p.m.)

12           THE COURT: First off, good afternoon, ladies and  
13 gentlemen. On behalf of my colleagues and the parties in this  
14 case, we want to welcome you to the Northern District of Georgia  
15 for a jury trial. We also want to thank you for being here today.

16           You know, in America we have a lot of freedoms, more  
17 than everybody in the world, to be quite honest with you. But to  
18 have those freedoms, there are responsibilities and obligations  
19 that come with that. And one of the things that we have that  
20 makes our freedom great is the right to a jury trial. There's not  
21 someone higher up that points to somebody else to make the  
22 decision about people's freedoms or property rights. It is jurors  
23 out in the community that weigh in on those decisions. And  
24 probably one of the few countries in the world that allow jurors,  
25 citizens of our community to make those decisions.

1           And, again, I've read a lot of constitutional articles,  
2 probably a jury trial, next to the right to vote, is probably one  
3 of the highest things we have that make up our freedoms. But in  
4 order to have these freedoms, everybody has a role. I have a role  
5 as judge, the lawyers have a role, and you as jurors have a role.

6           And the first part of your role was to be here today,  
7 which you have met. But the second aspect of that role is that  
8 I'll be asking you questions, the lawyers will be asking you  
9 questions, and we need for you to be as honest and truthful and  
10 open to us as possible.

11           We're not going to ask you any questions or try to ask  
12 you any questions that will embarrass you or put you on the spot.  
13 But if anybody asks you a question -- I ask you a question that  
14 you don't feel like answering publicly, you have the right to  
15 raise your hand and say, Judge, I would rather answer that  
16 question privately or those questions privately. No problem  
17 whatsoever. Again, we're not here to embarrass you.

18           There are certain things we need to know in order to  
19 select a jury. There are certain things about you as jurors you  
20 need to tell us. Certain things about your life you need to tell  
21 us. For example, if you have a nonrefundable airplane ticket for  
22 next Wednesday -- I am expecting this case to take, roughly, three  
23 weeks to try. If you have a nonrefundable airplane ticket for  
24 next Wednesday, that means if you're picked for this jury, you're  
25 probably not going to be able to make that airplane. Don't wait

1 until you're selected to be one of the 12 jurors -- we're going to  
2 select 12 jurors and 3 alternates. Don't wait until you're one of  
3 those 15 people that says, by the way, Judge, I've got this  
4 nonrefundable airplane ticket next Wednesday, because there is a  
5 good possibility that you won't be taking that airplane flight.

6 I told the other two panels, I had a situation where I  
7 had a juror just last month -- he's not the only juror where he  
8 said I'm going on vacation. He waited until he was picked to be a  
9 juror to tell me he had plans to go to Disney World or Disneyland  
10 with his wife and kids. And he said to me, I know, Judge, you  
11 won't keep me from disappointing my kids. And what did I say?  
12 Oh, yes, I will. He served. And he was fortunate the case ended  
13 in time for him to make the trip.

14 The point I'm trying to make to you, let us decide  
15 whether it's important or not. Don't sit there and do like he  
16 did. When I asked him, I said why didn't you tell us earlier? He  
17 said, well, I didn't think they were going to pick me anyway.

18 Let us make the decision. Tell us and be open and  
19 honest with us in all of your answers to the questions.

20 Now, with that stated, I'll allow Mr. Davis to introduce  
21 himself and his associates followed by Mr. Findling.

22 MR. DAVIS: Good afternoon, everyone. My name is  
23 Jeffrey Davis. I'm from the United States Attorney's Office.  
24 Along with me is Tiffany Dillingham and Nathan Kitchens. Also  
25 with us is Mark Benjamin from the FBI, and assisting us today is



1 Jonathan Ross and Richard Gabriel. Thank you.

2 THE COURT: Mr. Findling.

3 MR. FINDLING: Thank you, Your Honor.

4 Good afternoon. I'm Drew Findling, and it is my honor  
5 to represent Pastor Mitzi Bickers. Along with me from my firm is  
6 attorney Marissa Goldberg, attorney Zachary Kelehear, attorney  
7 Alexis Ahlzadeh, and also with us is attorney Denise Delarue.

8 Thank you, Your Honor.

9 THE COURT: Thank you, Mr. Findling.

10 Now, ladies and gentlemen of the jury, I have some  
11 questions for you. If any of these question pertain to you, I ask  
12 you to raise your hand and keep your hand raised until I  
13 acknowledge you.

14 My first question, did anyone not receive an oath when  
15 you came last Thursday or this morning upstairs? If you did not  
16 receive an oath, please raise your hand.

17 Will you stand up, ma'am.

18 Anyone else?

19 (Prospective jurors are sworn.)

20 THE COURT: All right. Does any member of the panel  
21 know United States Attorney Kurt R. Erskine? If so, please raise  
22 your hand.

23 No response.

24 Does any member of the panel know Assistant United  
25 States Attorney Jeffrey Davis, Nathan Kitchens, Kelly Kathleen

1 Connors, Tiffany Rene Dillingham, Jacqui Etienne, Jonathan Ross,  
2 Richard Gabriel, or Special Agent Marc Benjamin?

3 There is no response.

4 Does any member of the panel know any employees of or  
5 has any member of the panel or their immediate family worked for  
6 the United States Attorney's Office for the Northern District of  
7 Georgia or for any United States Attorney's office?

8 There's no response.

9 Does any member of the panel know --

10 PROSPECTIVE JUROR: That's at the federal level, not the  
11 state level?

12 THE COURT: This is the federal. United States  
13 Attorney's office, not the District Attorney's office.

14 Does any member of the panel know defense attorneys Drew  
15 Findling, Marissa Goldberg, Alexis Ahlzadeh, Denise Delarue, or  
16 Zachary J. Kelehear?

17 There's no response.

18 Does any member of the panel know any employees of or  
19 has any member of the panel or their immediate family worked for  
20 the Drew Findling law firm?

21 There is no response.

22 Does anyone know or has anyone ever met Pastor Mitzi  
23 Bickers? Pastor, would you stand up briefly, please. Thank you,  
24 ma'am.

25 There is no response.

1 Does anyone know any of the following individuals who  
2 may be witnesses in this case? These are potential witnesses. It  
3 doesn't mean they're going to be called as witnesses.

4 Mr. Davis, will you read those names.

5 MR. DAVIS: Yes, sir.

6 Jackie Anderson Woods, Michael Ayo, Marc Benjamin,  
7 Sabrina Black, Diedre Verdier, Thomas Weyandt, Kimberly Bracey,  
8 Keyla Jackson, Mark Stafford, Rita Braswell, Stephanie Coleman,  
9 Ralph Dahlgren, Kim Spell-Fowler, Matthew Davis, Kristy Fuentes,  
10 William Gant, Gail Hanscom, Nina Hickson, Sharon Hixon, Jon Keen,  
11 Jimmy Kirby, Richard Leary, Deborah Lonon, Cotena Alexander,  
12 Shanddarick Sean Barnes, Jordan Hillman, William Marshall, Richard  
13 Mendoza, E. R. Mitchell -- Elvin R. Mitchell, Sharon Patterson,  
14 Janene Tillman, Greg Von Wynn, Danielle Nichols, Shedreka Poole,  
15 Melvin Priester, Mike Winfrey, Tony Yarber, Rickey Williams,  
16 Jackie Velardo, Tammy Willingham, Lisa Reed, Chana Tate, John  
17 Relyea, Charles P. Richards, Adrienne Richardson, Andrew Jenkins,  
18 Anthony Brister, Ashby Foote, Candace Byrd, Dana Sims, Albert  
19 Bantley, Charles Davis, Robert Walker, or Robbi Jones.

20 THE COURT: Let the record reflect no one responded.

21 Thank you, Mr. Davis.

22 MR. DAVIS: Yes, sir.

23 THE COURT: Is there any member of the panel who has any  
24 special disability or problem that would make serving as a member  
25 of this jury difficult or impossible?

1           There is no response.

2           Does any juror hold any belief, religious or otherwise,  
3 which discourages or prevents jury service?

4           There is no response.

5           If you are selected to sit on this case, will you be  
6 able to render a verdict solely on the evidence presented at trial  
7 and in the context of the law as I will give you in my  
8 instructions? If not, please raise your hand.

9           There's no response.

10          Mr. Kitchens, I place the jurors upon you.

11          MR. KITCHENS: Thank you, Your Honor.

12          Good afternoon. Thank y'all for being here.

13          Now, we appreciate everyone coming in and filling out  
14 these questionnaires. That was very helpful both for us and for  
15 the defense, and we're going to have some follow up questions  
16 based on those questionnaires that you filled out.

17          Before we get to those, I know that some of you  
18 indicated on this questionnaire that you may have seen news  
19 stories that you think may relate to this case or seen them on the  
20 news or read stories about it. And I want to clarify a few things  
21 before we get started with some individual questions.

22          But first, the former Mayor Kasim Reed is not on trial  
23 here, and he is also not going to be a witness. The only  
24 defendant in this case is Pastor Mitzi Bickers.

25          Second, even though some of you may have read news

1 stories or you may have seen TV news or read something on the  
2 Internet that you think may relate to this case, you will be  
3 hearing actual evidence if you serve as a juror on this case.  
4 Sometimes that evidence is very different than what you think you  
5 may have read or heard in the news. And you will be asked and  
6 instructed by the judge that anything you may have seen or read in  
7 the news is something that you have to cast aside, you have to  
8 flush it out of your mind, and only render a verdict based on the  
9 evidence that is presented in this case.

10 Lastly, the questionnaire, you may remember, asked some  
11 questions about your views of Pastor Bickers based on her being a  
12 woman pastor, as well as based on her sexual orientation. I  
13 wanted to note that those also will not be issues in this case.

14 Given those statements, there's a few follow-up  
15 questions that I have for some of the jurors individually. I do  
16 have limited time to do this. So please forgive me if I don't  
17 have to a chance to follow-up with each and everyone of you. I'm  
18 going to try to be as focused with my questions as I can.

19 First, Ms. Hendel. Ms. Hendel, good afternoon.

20 I think in your questionnaire you explained and  
21 described some of your views about the criminal justice system and  
22 the treatment of minorities in the criminal justice system. Could  
23 you tell us a little bit more about your beliefs.

24 PROSPECTIVE JUROR: Well, I would consider myself  
25 politically on the left, and I don't always trust the criminal

1 justice system and its treatment of people of color in this  
2 country. And I'm not really sure how to sum it up or what would  
3 be relevant in my answer.

4 MR. KITCHENS: Sure. Let me try to see if we can, you  
5 know, just get a little bit more details about it.

6 This case, of course, involves a defendant who's an  
7 African-American. Is anything about that fact, do you think your  
8 views of the criminal justice system would come into play as  
9 you're considering the evidence that is presented in this case?

10 PROSPECTIVE JUROR: Not when considering the evidence.

11 MR. KITCHENS: Would your views about the criminal  
12 justice system, would it be something that you would consider as  
13 part of your -- the need to ultimately reach a verdict in this  
14 case?

15 PROSPECTIVE JUROR: No. No, I don't think so.

16 MR. KITCHENS: You mentioned, I think, that you had some  
17 views about the federal investigators and the FBI. And I think it  
18 may have been, you know, based on some past history.

19 What about your -- can you tell us a little bit more  
20 about your current views about federal investigators?

21 PROSPECTIVE JUROR: I don't really have any views as  
22 regards to the current FBI.

23 MR. KITCHENS: I think you also expressed some opinions  
24 about some -- about elected officials and whether they're held  
25 accountable in certain instances. Can you tell us a little bit

1 more about those beliefs?

2 PROSPECTIVE JUROR: Yeah. When I said elected  
3 officials, I meant more on a national or federal level, not local,  
4 I would say. I don't think the same standards are held to,  
5 perhaps, like national politicians.

6 MR. KITCHENS: Okay. Based on, you know, kind of the  
7 statements I gave at the beginning, do you think you would be able  
8 to satisfy any sort of beliefs, opinions that you have about the  
9 criminal justice system, and follow the instructions from Judge  
10 Jones and look just at the evidence in this case?

11 PROSPECTIVE JUROR: Yes.

12 MR. KITCHENS: Thank you, Ms. Hendel.

13 Can I speak with Ms. Moreland?

14 Thank you, Ms. Moreland. Just a couple of questions.

15 I note you expressed some opinions in your questionnaire  
16 regarding religious leaders and matters about the city as well.

17 Do you think given the statement that I made at the  
18 beginning regarding the need to keep out any sort of memory or,  
19 you know, whatever you may think based on news stories, do you  
20 think you would be able to set that aside and keep an open mind  
21 regarding the evidence that is actually presented in this case?

22 PROSPECTIVE JUROR: No, I don't think so.

23 MR. KITCHENS: You do not think you would be able to set  
24 it aside?

25 PROSPECTIVE JUROR: No.

1 MR. KITCHENS: And what would cause you -- what  
2 specifically do you think you would take in -- into account as  
3 you're considering this case?

4 PROSPECTIVE JUROR: Sometimes when I see things or I  
5 remember things, I just can't forget them. So I don't think I  
6 would be able to.

7 MR. KITCHENS: So is it your view that things that  
8 you -- I guess preconceived ideas that you may already have, that  
9 even if you are instructed by the judge that you have to set that  
10 aside, that it may creep in and be part of your decision-making?

11 PROSPECTIVE JUROR: Yes.

12 MR. KITCHENS: And so is that just something you would  
13 not be able to follow, an instruction from the judge if he tells  
14 you only listen to the evidence in this case?

15 PROSPECTIVE JUROR: Well, if he tells me to, I would do  
16 it, I guess.

17 THE COURT: I couldn't hear you. What did you say?

18 PROSPECTIVE JUROR: I said yes, if you would tell me to,  
19 I would do it, I guess.

20 MR. KITCHENS: Okay. Would those beliefs, would they be  
21 something that would come into play as you're hearing the evidence  
22 in this case?

23 PROSPECTIVE JUROR: I don't -- I don't think so.

24 MR. KITCHENS: Let me ask -- let's see. Let me speak  
25 with Ms. Null.



1           Good afternoon, Ms. Null.

2           I think you mentioned in your questionnaire some  
3 negative experiences you had or family members have had with  
4 attorneys and with law enforcement. Could you tell us a little  
5 bit more about your feelings based on those experiences.

6           PROSPECTIVE JUROR: Yes. So it's really before I was  
7 old enough to form my own opinions.

8           When I was a child, my mother was injured during  
9 childbirth and there was a malpractice suit that turned into --  
10 again, I was five years old. But there was some stealing of  
11 evidence allegedly from my father's car allegedly by an attorney.  
12 So there's always been very negative talks surrounding attorneys  
13 in my family. But I've got -- it's something that is in my  
14 history, but I do have adult friends who are attorneys.

15           MR. KITCHENS: Okay. So that's obviously something that  
16 has been with you for a while if that happened when you were a  
17 child. Is that something that -- those views of attorneys -- you  
18 would regularly discuss with your family?

19           PROSPECTIVE JUROR: No, it's something in my history,  
20 but it's not something that has shaped my views.

21           MR. KITCHENS: Would anything about those experiences  
22 and what happened when you were young, would it impact in any way  
23 what you heard from attorneys in this case, either the prosecution  
24 or from the defense counsel?

25           PROSPECTIVE JUROR: No.

1 MR. KITCHENS: Do you think you'd be able to be fair to  
2 both sides based on -- and set aside kind of your beliefs about  
3 attorneys from when you were young?

4 PROSPECTIVE JUROR: Yes. And to clarify, it's more of a  
5 family belief. I don't so much own it as my personal belief. I  
6 absolutely think I could be impartial.

7 MR. KITCHENS: I think you also indicated that -- that  
8 you had some negative experiences with law enforcement or had some  
9 views about that as well. Can you tell us a little bit more about  
10 that?

11 PROSPECTIVE JUROR: Yes, so this again is a family  
12 situation.

13 I lost my youngest sister to a drug overdose in 2018,  
14 and at the time she lived in Massachusetts. And at the time there  
15 was a law in Massachusetts which allowed persecution of drug  
16 dealers that provided substances that led to fatal overdose. And  
17 our case was first handled by the Massachusetts State Police, and  
18 later by the Drug Enforcement Agency, and led to a lot of  
19 emotional turmoil for especially my other sister and I. And both  
20 of those cases were dropped because of a change in Massachusetts  
21 law about the requirement for evidence. And so, yes, I do have  
22 that personal experience, but specifically with the DEA in a  
23 specific incident.

24 MR. KITCHENS: Okay. And I know it had to be a  
25 difficult experience going through that. Is there anything from

1 that experience that you think would affect your views of law  
2 enforcement in this case?

3 PROSPECTIVE JUROR: No. In fact, although I had that  
4 experience, it was reassuring to know that there were levels of  
5 government trying to -- trying to help. As frustrating as it was,  
6 it would not affect my judgment.

7 MR. KITCHENS: And do you think ultimately that you  
8 would be able to be fair and impartial and listen to the evidence  
9 and applying the law to the evidence in this case?

10 PROSPECTIVE JUROR: I do.

11 MR. KITCHENS: Thank you, Ms. Null.

12 All right, let me speak with Mr. Hatney.

13 Mr. Hatney, I think you described a past experience with  
14 law enforcement as well. Based on that experience, can you tell  
15 us about any sort of feelings that you may have resulting from  
16 that?

17 PROSPECTIVE JUROR: The only feelings I really have  
18 towards it is -- my experience has been that law enforcement can  
19 be unfair towards people of color. That's just my experience.

20 MR. KITCHENS: All right. Are there particular  
21 circumstances that you think apply when law enforcement may be  
22 unfair to people of color?

23 PROSPECTIVE JUROR: It depends on your area. It depends  
24 on the crime rate. It depends on just different factors as far as  
25 your environment.

1 MR. KITCHENS: And would those beliefs, would it impact,  
2 do you think, your consideration of evidence presented by the  
3 government in this case?

4 PROSPECTIVE JUROR: I don't believe so.

5 MR. KITCHENS: And just to make sure, because you kind  
6 of hesitated. If it occurred -- let's say a law enforcement  
7 witness testified, would you question that witness more or think  
8 that they may be a little less credible given your experience?

9 PROSPECTIVE JUROR: Well, I wouldn't be able to, because  
10 a judge told me not to. So I would have to follow what he said.

11 MR. KITCHENS: So would you follow the judge's  
12 instructions? Would you then be able to completely flush out any  
13 view or opinion you may have about law enforcement?

14 PROSPECTIVE JUROR: I would have to.

15 MR. KITCHENS: And you would do so?

16 PROSPECTIVE JUROR: Yeah, I would have to.

17 MR. KITCHENS: Thank you. And again, just from the  
18 statements I made at the beginning, given that we haven't  
19 presented any evidence at all in this case, would you wait until  
20 you heard all of the evidence before reaching a decision in this  
21 case?

22 PROSPECTIVE JUROR: I'm very faction (sic) oriented, so  
23 yes.

24 MR. KITCHENS: And would you apply the law to the  
25 evidence as instructed by the judge in rendering your decision?

1 PROSPECTIVE JUROR: I would have to.

2 MR. KITCHENS: And you wouldn't base it on anything  
3 else?

4 PROSPECTIVE JUROR: Can you be more specific?

5 MR. KITCHENS: Sure. Any sort of -- anything you may  
6 have seen in the news or anything you may have formed an opinion  
7 about regarding either the city or the government or anything?  
8 Are those things that you would keep entirely out of mind and just  
9 be able to listen only to the evidence and the law?

10 PROSPECTIVE JUROR: I would have to, so yeah.

11 MR. KITCHENS: Let's see. If we could speak with  
12 Ms. Pope.

13 Ms. Pope, based on the statements I made at the  
14 beginning about, again, we haven't presented any evidence, you  
15 could only consider the evidence, not anything you may have seen  
16 or read or heard before, do you think you'd be able to keep an  
17 open mind and just consider the evidence that's presented in this  
18 case?

19 PROSPECTIVE JUROR: I do.

20 MR. KITCHENS: And do you think you would just apply the  
21 evidence that's presented -- apply the law that is instructed by  
22 Judge Jones to that evidence in reaching your decision?

23 PROSPECTIVE JUROR: I do.

24 MR. KITCHENS: And would you be able to keep everything  
25 else outside as you're reaching that decision and focus just on

1 the evidence and law?

2 PROSPECTIVE JUROR: I'm sure I could.

3 MR. KITCHENS: Thank you.

4 Then I think Mr. Frye. No, I'm sorry. Mr. Alexander  
5 Frye. Did I misstate your name?

6 PROSPECTIVE JUROR: Frye.

7 MR. KITCHENS: Frye, I'm sorry. I have a typo. My  
8 apologies, Mr. Frye.

9 Same type of questions. Just given the statements I  
10 made in the beginning, do you think you'd be able to set aside  
11 anything that you may have read or heard or opinions that you may  
12 have and focus just on and render a decision just on the evidence  
13 that is presented in this case?

14 PROSPECTIVE JUROR: Yes, sir.

15 MR. KITCHENS: And would you be able to follow the  
16 judge's instructions regarding that evidence and just apply that  
17 law to the evidence in this case?

18 PROSPECTIVE JUROR: Yes, sir.

19 MR. KITCHENS: One question, and I apologize about this,  
20 but I think -- you remember on the questionnaire you were asked  
21 kind of opinions on counsel and attorneys, and I think one thing  
22 you noted is -- I think this applied equally for all attorneys,  
23 that you could -- given, I think, your introspective nature, that  
24 you could feel threatened by the inquisitive nature of attorneys  
25 sometimes.

1 PROSPECTIVE JUROR: Yeah.

2 MR. KITCHENS: So I apologize for even inquiring about  
3 this further, but I do have to ask, can you tell us just a little  
4 bit more about that?

5 PROSPECTIVE JUROR: Yes. So I know for myself -- this  
6 is more so personal than actual experiences or anybody doing  
7 anything to me, per se. But it's, like, sometimes I can feel like  
8 it will be an open (sic) -- I can feel like I deal with imposture  
9 syndrome a lot, and when asked questions, it can almost feel  
10 like -- it can start to bring up my insecurities, you know, like  
11 in a very big way. It's to not something -- it's not something I  
12 like putting on the spot a lot, so...

13 MR. KITCHENS: Do you think in view of the attorneys, of  
14 course, from the government and I'm sure from the defense, you'll  
15 have multiple witnesses that will come up, and we will all, of  
16 course, as part of our job, have to ask those witnesses questions.  
17 Is that something where you'll, you know, view that as -- in any  
18 way negatively?

19 PROSPECTIVE JUROR: I wouldn't think so, no.

20 MR. KITCHENS: And in viewing that, is that going to  
21 pose any problems with your ability to judge the case just on the  
22 evidence and the law?

23 PROSPECTIVE JUROR: I don't believe so.

24 MR. KITCHENS: Do you think there is anything about  
25 those beliefs that would prevent you from being fair and impartial

1 as a juror?

2 PROSPECTIVE JUROR: No, sir.

3 MR. KITCHENS: Well, thank you. I think that's it,  
4 Mr. Frye. Thank you very much.

5 THE COURT: Thank you, Mr. Kitchens.

6 Mr. Findling.

7 MR. FINDLING: Good afternoon, again. You can surrender  
8 the mic, but I'll get to you in a second.

9 So I'm going to have the mask down. When I question  
10 you, if you want, His Honor will permit you to take it down.

11 So I am going to naturally disagree with my colleagues  
12 from the government about a couple of facts real quick.

13 One, while they have indicated to you that former Mayor  
14 Kasim Reed will not be a witness, if you serve on this jury you'll  
15 hear from probably multiple people that served in his  
16 administration. So if you have feelings about that administration  
17 and you indicated that, I'm going to question you about it because  
18 it is important.

19 In like fashion, you have been asked questions in the  
20 questionnaire, and so many of you -- I appreciate your honesty  
21 about the issues about Pastor Bickers being gay, being a pastor  
22 while gay and have expressed opinions about that. And if you have  
23 an opinion about that, as His Honor has been very clear, when you  
24 sit in that box, what you bring in is just as important as what  
25 you'll hear. So it's very important that we talk about these



1 issues. Okay?

2 So I'm going to start off with Mr. Hatney.

3 So, Mr. Hatney, I believe you indicated that while this  
4 is going on you might have a distraction out of here -- your own  
5 case going on. Is that something you do not want to talk about in  
6 the open, that's cool. You can let me know. If not, just tell me  
7 now. Because we'll need to know if you can't focus over three  
8 weeks. Is there something else you've got going on?

9 PROSPECTIVE JUROR: It's a parental case.

10 MR. FINDLING: Okay.

11 PROSPECTIVE JUROR: I don't know when it's going to be  
12 scheduled for. They just want me to be ready.

13 MR. FINDLING: Okay. So you have some kind of civil  
14 litigation going on right now?

15 PROSPECTIVE JUROR: Yes.

16 MR. FINDLING: And do you think you have a court  
17 appearance coming that you know for sure?

18 PROSPECTIVE JUROR: I don't know for sure.

19 MR. FINDLING: Okay. Now, you -- okay. Understood.

20 Now, you'd indicated, also, on the question about what  
21 you read about the case -- now, what you indicated is, well, if  
22 the facts that you've heard are true, then she'd be guilty; but if  
23 not, she'll be innocent. Okay. Which if you're not doing what we  
24 do for a living, most people would say that. His Honor, if you  
25 serve on the jury, will talk to you about the burden of proof. Do

1 you -- going in, do you understand that it's a little bit  
2 different in this setting? Because in this setting,  
3 Pastor Bickers and her defense attorneys, we don't have to do a  
4 single thing. We can sit on our hands and be quiet for three  
5 weeks. And the United States of America has to prove her guilty  
6 beyond a reasonable doubt. Do you have that appreciation?

7 PROSPECTIVE JUROR: Yes.

8 MR. FINDLING: Okay. So the opinion you had earlier, I  
9 take it you'll kind of set that aside and listen to what His Honor  
10 tells you? Is that fair?

11 PROSPECTIVE JUROR: Um-hum.

12 MR. FINDLING: Okay. You also had an opinion about the  
13 FBI and their success rate. Where -- does that just come from the  
14 news or where does that come from?

15 PROSPECTIVE JUROR: News outlets, common knowledge.  
16 I'll research.

17 MR. FINDLING: So you've done some of our own research  
18 as to FBI statistics?

19 PROSPECTIVE JUROR: Yes.

20 MR. FINDLING: And is that because you were summoned to  
21 be a potential juror in this case?

22 PROSPECTIVE JUROR: No, I was just inquisitive.

23 MR. FINDLING: Okay. And what about the FBI success  
24 ratio, did you find kind of something to deal with Google button  
25 about?

1 PROSPECTIVE JUROR: They have almost 97 percent  
2 conviction rate, so they don't usually take you to trial unless  
3 they for sure got something.

4 MR. FINDLING: You're talking about the FBI taking a  
5 case to trial?

6 PROSPECTIVE JUROR: Yeah.

7 MR. FINDLING: Okay. All right. Thank you.

8 Mr. Frye.

9 Let me go back to you one second, Mr. Hatney.

10 Did you indicate in your questionnaire that you are a  
11 single parent and you're responsible for your child?

12 PROSPECTIVE JUROR: No, I didn't.

13 MR. FINDLING: Okay, my mistake. Thank you.

14 Mr. Frye, you in a couple of questions that talked about  
15 church affiliation, you indicated that you heard about controlling  
16 the congregation can be -- were you talking specifically about  
17 Pastor Bickers and Emmanuel Baptist Church?

18 PROSPECTIVE JUROR: No, sir.

19 MR. FINDLING: I'm sorry?

20 PROSPECTIVE JUROR: No, sir.

21 MR. FINDLING: Okay. Just some other type of house of  
22 worship?

23 PROSPECTIVE JUROR: Correct.

24 MR. FINDLING: Okay. Thank you.

25 And so going to what I opened with, you did respond to

1 some questions about same sex marriage. And you said that you  
2 oppose same sex marriage.

3 PROSPECTIVE JUROR: I do.

4 MR. FINDLING: Okay. And you said that you oppose gay  
5 pastors.

6 PROSPECTIVE JUROR: Correct.

7 MR. FINDLING: Okay. And that you oppose women serving  
8 as pastors; is that correct?

9 PROSPECTIVE JUROR: Well, I also stated that if the  
10 leadership -- if the male leadership said it was okay, then I'm  
11 not opposed.

12 MR. FINDLING: Okay. So if the male leadership says  
13 it's okay for a woman to be a pastor, then it's okay with you?

14 PROSPECTIVE JUROR: It's okay.

15 MR. FINDLING: So I'm sure that folks are going to  
16 mention, as I am right now in the trial of this case, that Pastor  
17 Bickers is gay. Pastor Bickers is the reverend of her church, and  
18 whether or not it was approved by men, she is the pastor and she  
19 is married to a woman. Is that going to impact you in -- you  
20 know, we need fair folks now.

21 PROSPECTIVE JUROR: Right.

22 MR. FINDLING: This is important stuff. Will that have  
23 any impact on you whatsoever? Because it's really important for  
24 us to know.

25 PROSPECTIVE JUROR: No, sir.

1 MR. FINDLING: So you are going to set aside those  
2 opinions that you just shared with us?

3 PROSPECTIVE JUROR: Absolutely.

4 MR. FINDLING: Okay. Thank you.

5 Hayley Simmons. There you are. Just so you know, you  
6 had the greatest quote of all of the jurors. Okay? I think  
7 everybody would agree with that. I lead a simple life, and I like  
8 it that way. We're going to get T-shirts made up, and I'm going  
9 to make millions. But I'm not going to give you any credit.

10 But explain to me, explain to me the thought behind  
11 that. Because there is a complexity to spending three weeks here  
12 listening to the case. It's not a simple life.

13 PROSPECTIVE JUROR: It's very simple. I was answering  
14 the questions. I am a teacher, and I'm a special ed teacher. The  
15 questions asked a lot about who is the mayor, who is the this, who  
16 is the that, and who is the other, and I was kind of embarrassed.  
17 I don't know, and I don't care. I'm sorry, I don't need that for  
18 school. I don't need it to live my life. So I felt kind of  
19 embarrassed. So I was explaining why I didn't know anything.

20 MR. FINDLING: So, Ms. Simmons, it sounds like what  
21 you're saying is, you're coming in here not listening to any  
22 outside noise, whether on the Internet, TV, or anything?

23 PROSPECTIVE JUROR: Yeah, I kind of ignore it.

24 MR. FINDLING: Okay. And could you just give us two to  
25 three weeks of just focusing on what you hear here? We'll make

1 life simple for you.

2 PROSPECTIVE JUROR: Yes, it's my duty.

3 THE COURT: There you go.

4 MR. FINDLING: Thank you, ma'am. I appreciate that.

5 Mr. Fan.

6 PROSPECTIVE JUROR: Yes.

7 MR. FINDLING: We're going to come back to you. Thank  
8 you.

9 Ms. Hendel. Thank you.

10 Actually, Ms. Hendel, I'm back on time and you have  
11 spoken a lot. And I think I'm good. Thank you.

12 Mr. Isenhood. Now, you had a friend that ran for mayor  
13 in Jackson, Mississippi; am I correct?

14 PROSPECTIVE JUROR: Correct.

15 MR. FINDLING: Okay. And what was that individual's  
16 name?

17 PROSPECTIVE JUROR: He was on a gymnastics team with me  
18 on the '80s, Ronnie Crudup.

19 MR. FINDLING: Okay.

20 PROSPECTIVE JUROR: And he ran for mayor in 2017.

21 MR. FINDLING: Okay. All right.

22 PROSPECTIVE JUROR: And he was on the House of  
23 Representatives 2018.

24 MR. FINDLING: And so if I do my math correctly, a  
25 potential witness in this case is the guy he lost to, Tony Yarber.

1 So would that impact you at all, that your friend lost to one of  
2 the people that's mentioned in this case in a somewhat significant  
3 way?

4 PROSPECTIVE JUROR: I don't -- I feel like I'm more  
5 objective than that. I would say the current mayor -- my dad has  
6 been an attorney opposite his father.

7 MR. FINDLING: Okay. So one of the things that will be  
8 addressed here, even though we're hundreds of miles from Jackson,  
9 Mississippi, is a consent judgment about the water disaster in  
10 Jackson, which still remains a disaster. I can see you shaking  
11 your head. You know. Do you bring this knowledge to this, that  
12 Jackson has had a perennial, consistent problem with bad drinking  
13 water?

14 PROSPECTIVE JUROR: Yeah, I do. I do know. I'm well  
15 aware of that, yeah. Every other month it seems to break down.

16 MR. FINDLING: Okay. And I'm going to switch over.  
17 You also indicated that you oppose same sex marriage?

18 PROSPECTIVE JUROR: Correct.

19 MR. FINDLING: Okay. And that gay folks should not be  
20 in religious leadership.

21 PROSPECTIVE JUROR: I didn't -- I didn't put that.

22 MR. FINDLING: Okay, you did not.

23 So would that in any way adversely impact you in sitting  
24 with us that Pastor Bickers is married to a woman?

25 PROSPECTIVE JUROR: No. I feel like I'm objective.

1 MR. FINDLING: Okay. All right.

2 You have some knowledge of, generally speaking -- not  
3 this case -- of corruption in the City of Atlanta. You indicated  
4 that you've heard of corruption cases in the City of Atlanta?

5 PROSPECTIVE JUROR: I think government in general.

6 MR. FINDLING: Okay. So nothing specifically about  
7 Atlanta?

8 PROSPECTIVE JUROR: Yeah, I don't -- I don't recall  
9 putting things specifically about Atlanta, regarding examples.

10 MR. FINDLING: And you also indicated your concern about  
11 serving three weeks from a work standpoint. If you could briefly  
12 just tell me about that.

13 PROSPECTIVE JUROR: So, I mean, I didn't -- I didn't put  
14 I had any hardships in serving for three weeks. It was more  
15 about -- what I didn't put down is, yeah, if it goes to four  
16 weeks, it would be difficult. But I -- I am working remote for a  
17 company in Colorado, been with for one year. But, you know, I  
18 didn't list any hardships. I respect the court and the need to  
19 serve, so...

20 MR. FINDLING: Okay. All right. Thank you.

21 Andrea Pope.

22 Actually, Ms. Pope, I'm going to go back to Ms. Moreland  
23 for a second.

24 Now, you also indicated you oppose same sex marriage; is  
25 that correct?



1 PROSPECTIVE JUROR: Well, I grew up as -- a regular  
2 marriage. I don't really believe.

3 THE COURT: Can you speak up louder, please?

4 MR. FINDLING: Yes, we can't hear you.

5 PROSPECTIVE JUROR: I would say no.

6 MR. FINDLING: You oppose same sex marriage?

7 PROSPECTIVE JUROR: Yes.

8 MR. FINDLING: Okay. And that gay folks should not be  
9 in religious leadership?

10 PROSPECTIVE JUROR: Yes.

11 MR. FINDLING: Okay. Those kind of fit the bill here,  
12 because Pastor Bickers, the pastor of Emmanuel Baptist Church in  
13 Atlanta, is gay and is married to a woman and, it's important that  
14 she have -- seat 12 folks that are going to treat her as fairly as  
15 possible, 100 percent fair. Will that belief system impact you  
16 even one percentile in being fair during the course of these few  
17 weeks? It's very important that we know that. No one is going to  
18 get mad at you for your answer.

19 PROSPECTIVE JUROR: Umm, no.

20 MR. FINDLING: Okay. And are you going to be impacted  
21 in terms of workwise if you are here for three weeks? Is it going  
22 to financially impact you?

23 PROSPECTIVE JUROR: Probably so, because if I don't  
24 work, I don't pay my bills, so...

25 MR. FINDLING: Okay. And what kind of work is it that

1 will prevent you from possibly missing up to 15 work days?

2 PROSPECTIVE JUROR: Because of the work that I do at my  
3 job.

4 MR. FINDLING: Okay. What kind of work?

5 PROSPECTIVE JUROR: As far as, like, custodial-type  
6 work.

7 MR. FINDLING: So will you not get paid like some folks?  
8 Some jobs will pay you if you're on jury duty.

9 PROSPECTIVE JUROR: I will not get paid.

10 MR. FINDLING: You will not get paid?

11 PROSPECTIVE JUROR: Right.

12 MR. FINDLING: And are you indicating that you need this  
13 daily wage and weekly wage in order to pay the bills that you  
14 have?

15 PROSPECTIVE JUROR: Yes, correct.

16 MR. FINDLING: Thank you.

17 Ms. Pope, thank you. Ms. Pope, I think you indicated  
18 that you have to care for your 96-year-old mother.

19 PROSPECTIVE JUROR: Yes.

20 MR. FINDLING: And are you her primary caretaker?

21 PROSPECTIVE JUROR: Pretty much. I have a sister that  
22 works full-time that comes in.

23 MR. FINDLING: So does your 96-year-old parent, does she  
24 reside with you?

25 PROSPECTIVE JUROR: No, she does not. She lives in a

1 retirement center, but not in assisted living. So she kind of  
2 depends on me to fill in the gaps.

3 MR. FINDLING: Okay. All right. So to distinguish,  
4 it's not a place that is providing daily care. You have to go  
5 there?

6 PROSPECTIVE JUROR: Right.

7 MR. FINDLING: I'm familiar with this on a personal  
8 level. So you have to go there and take care of things during the  
9 ten-hour day during the day?

10 PROSPECTIVE JUROR: Yes, or whatever she needs, whatever  
11 it is. Yeah.

12 MR. FINDLING: And will you be able to -- for three  
13 weeks, are we going to lose your attention if you're worried about  
14 getting somebody to take your place during the day to make sure  
15 that her needs are met at 96 years old?

16 PROSPECTIVE JUROR: She's been sick for the last three  
17 weeks. We almost went to the emergency room a couple of times,  
18 but they didn't want her in the emergency room because of her age.  
19 If she stays well, I think it would be fine. She's not quite well  
20 yet.

21 MR. FINDLING: Okay. So at this point right now, on  
22 this day, it's a distraction to you?

23 PROSPECTIVE JUROR: It is a little bit, yeah.

24 MR. FINDLING: Mr. Miklos, you had indicated that you  
25 are not of the belief that minority -- you indicated that you

1 recognize systemic racism in the country, but don't think that  
2 minority businesses are necessarily targeted. Can you explain  
3 that?

4 PROSPECTIVE JUROR: Oh, I mean, I guess I don't have any  
5 personal experience with it. It's just what I get off of news  
6 sources and stuff, and, I guess, you tend to hear less about that.  
7 So I don't have as strong opinions about that.

8 MR. FINDLING: Okay. All right.

9 PROSPECTIVE JUROR: But, you know, it could be.

10 MR. FINDLING: Okay. Thank you. Mr. Rafiquzzaman, you  
11 had indicated that you're not okay with some gay serving as a  
12 pastor in a religious setting. Can you explain?

13 PROSPECTIVE JUROR: Yeah, I don't accept gay or -- I  
14 don't accept gay and pastor.

15 MR. FINDLING: And explain how that might impact you  
16 listening to the facts of the case.

17 PROSPECTIVE JUROR: I don't have an idea about this.

18 MR. FINDLING: All right. Your Honor, one second.  
19 Thank you. Ms. Neely?

20 PROSPECTIVE JUROR: Me? Really?

21 MR. FINDLING: I'm sorry -- no, we're skipping.

22 Ms. Sparks. Are you in the middle of some kind of  
23 full-time externship or something right now?

24 PROSPECTIVE JUROR: I am.

25 MR. FINDLING: Okay. And is that, like, a full-time

1 thing? Like we're keeping you from an eight-hour day?

2 PROSPECTIVE JUROR: No. It's only maybe four hours a  
3 day.

4 MR. FINDLING: All right. And would you be able to  
5 explain to whomever is supervising you, that you have been  
6 selected to, as Your Honor perfectly said, do your civic duty and  
7 be on a jury, would they be the type of supervising folks that  
8 would understand?

9 PROSPECTIVE JUROR: For now, yes. I'm just in class.  
10 The externship hasn't started yet.

11 MR. FINDLING: When will that externship start?

12 PROSPECTIVE JUROR: Three weeks from now.

13 MR. FINDLING: So if you're a couple of days late, I  
14 imagine you can just let them know you're just finishing up on  
15 jury duty then?

16 PROSPECTIVE JUROR: Yes.

17 MR. FINDLING: Okay. You had a really long answer about  
18 minorities being treated unfairly, and then you scratched it out.

19 PROSPECTIVE JUROR: I did.

20 MR. FINDLING: Okay. Do you remember the reasoning for  
21 that?

22 PROSPECTIVE JUROR: I just felt uncomfortable  
23 explaining.

24 MR. FINDLING: Is that something you would like to just  
25 do privately away from everybody?

1 PROSPECTIVE JUROR: Yes, I guess.

2 MR. FINDLING: Okay. Thank you. Mr. Casaccia -- man,  
3 you're going to have to tell me.

4 PROSPECTIVE JUROR: Casaccia.

5 MR. FINDLING: Mr. Casaccia, I believe you have an event  
6 coming up in the next couple of weeks, March 24.

7 PROSPECTIVE JUROR: Yes.

8 MR. FINDLING: And that's a funeral that is planned?

9 PROSPECTIVE JUROR: Celebration of life, yes.

10 MR. FINDLING: A celebration of life.

11 So it looks like that's in the middle of a week?

12 PROSPECTIVE JUROR: Yes.

13 MR. FINDLING: And that has been planned for some time?

14 PROSPECTIVE JUROR: Not for some time. He passed away  
15 two weeks ago Friday.

16 MR. FINDLING: All right. And I would take it if you  
17 served with us, you would be asking His Honor to have that day  
18 away from the Court?

19 PROSPECTIVE JUROR: Absolutely, yes.

20 MR. FINDLING: And this is your father-in-law?

21 PROSPECTIVE JUROR: Yes, sir.

22 MR. FINDLING: Okay. Ms. Winokur. Hey.

23 PROSPECTIVE JUROR: Hello.

24 MR. FINDLING: How are you doing?

25 PROSPECTIVE JUROR: Good.

1 MR. FINDLING: It looks like you're in full-time school?

2 PROSPECTIVE JUROR: Correct.

3 MR. FINDLING: And do you think you would be able to  
4 kind of juggle a little bit over the next few weeks if you served  
5 with us on the jury?

6 PROSPECTIVE JUROR: I'm already juggling. I have a  
7 full-time job, a part-time job, and full-time school. So school  
8 is kind of on a pause until I get permission to start my  
9 externship. I've been waiting for permission for two-and-a-half  
10 months now. So, hopefully, the paperwork will finally go through.  
11 But I still have a full-time job and a part-time job that I also  
12 juggle.

13 MR. FINDLING: All right. Thank you.

14 Ms. Pham, I think you've also indicated -- well, let me  
15 ask you this. You also have a lot of friends in Jackson.

16 PROSPECTIVE JUROR: Yes. I went to the University of  
17 Mississippi.

18 MR. FINDLING: Okay.

19 PROSPECTIVE JUROR: I graduated in 2016.

20 MR. FINDLING: Okay. So given your experience, you,  
21 obviously, saw a lot of folks in Jackson.

22 PROSPECTIVE JUROR: Yes.

23 THE COURT: Sorry to interrupt, Mr. Findling. Your time  
24 is up.

25 MR. FINDLING: Okay. All right. Thank you, Your Honor.

1 Thank you, ma'am.

2 THE COURT: Before I let you-all go, I have two  
3 questions for two jurors.

4 Mr. Hatney, you indicated to one of the lawyers that you  
5 had done research on the FBI. And I think you said it had 97  
6 percent conviction rate. You understand the FBI is involved in  
7 this case? Are you going to be able to put that aside regarding,  
8 you know, the statistics that you found in your research regarding  
9 the FBI and render your verdict based on the evidence in this  
10 case? Are you coming in thinking that automatically that the  
11 defendant in this case is guilty because the FBI is involved?

12 You think -- give him the mic. Do you think the  
13 defendant is guilty automatically because the FBI is involved in  
14 this case?

15 PROSPECTIVE JUROR: No.

16 THE COURT: Are you going to be able to render your  
17 verdict based on the evidence you hear and the charge of law that  
18 I give you?

19 PROSPECTIVE JUROR: The ones that you give me, yeah.

20 THE COURT: And you're going to disregard that 97  
21 percent that you researched?

22 PROSPECTIVE JUROR: I would.

23 THE COURT: You hesitated.

24 PROSPECTIVE JUROR: Because it's something I know.

25 THE COURT: So you're telling me you can't put it aside?



1 PROSPECTIVE JUROR: I can put it aside because you told  
2 me to and I have to listen to what you say.

3 THE COURT: Well, what I need to know, though, I don't  
4 need to have you as one of the 12 sitting in that box and all of a  
5 sudden, well, the FBI is involved and 97 percent -- I'm not  
6 questioning what you researched. What I'm saying is that that's  
7 not the way the law operates.

8 PROSPECTIVE JUROR: Um-hum.

9 THE COURT: The government has the burden of proof, has  
10 to prove the charges of this indictment beyond a reasonable doubt,  
11 regardless if the FBI is involved, if they fail to do that, it's  
12 not guilty.

13 PROSPECTIVE JUROR: Yes.

14 THE COURT: I'm not saying how it's going to go, but  
15 you're going to be able to disregard this 97 percent and weigh it  
16 based on the evidence and the law?

17 PROSPECTIVE JUROR: Yes.

18 THE COURT: Ms. Moreland, in questioning you first said  
19 you cannot put it behind you what you read, and then you were  
20 asked by Mr. Kitchens twice and you said twice you weren't able to  
21 put it behind you. But later you said, well, no, I could listen  
22 to what the judge says and follow what the judge says. Which one  
23 is it?

24 PROSPECTIVE JUROR: Well, I can listen to -- follow what  
25 the judge says.

1 THE COURT: But can you put it out of your mind and  
2 disregard what you read in the newspaper or heard on the  
3 television?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: You hesitated. It's not -- there is no  
6 right or wrong answer here.

7 PROSPECTIVE JUROR: Okay.

8 THE COURT: Like I told you, we need to know up front  
9 truthful and honest answers. There's nothing wrong if you have an  
10 opinion, but I heard two different answers from you, and I didn't  
11 know -- I need to basically know, can you disregard what you read  
12 in the newspaper or saw on the television and base and render a  
13 verdict based on the evidence and the charge of law that I give  
14 you? The latter part of your answer you told Mr. Kitchens you  
15 would listen to what I told you, the charge. But I need to know  
16 the first part. You told me twice you couldn't put it behind you.  
17 Can you put it behind you?

18 PROSPECTIVE JUROR: Yes. Yes.

19 THE COURT: Yes?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: All right. That's all I have.

22 I need Juror 44 to remain seated, and everybody else  
23 step out in the hall. But I need juror 47, 50 --

24 THE DEPUTY CLERK: 44 is Llandro Sebastian.

25 THE COURT: Mr. Sebastian, remain seated.

1 THE DEPUTY CLERK: 47, Mr. Fan.

2 THE COURT: Mr. Fan, you have a seat out in the hall.

3 THE DEPUTY CLERK: 50.

4 THE COURT: 50.

5 THE DEPUTY CLERK: Mr. Isenhood.

6 THE COURT: You also remain seated in the hall.

7 THE DEPUTY CLERK: Ms. Neely.

8 THE COURT: 55, you remain seated in the hall.

9 THE DEPUTY CLERK: And Ms. Jackson.

10 THE COURT: I think also 56, Ms. Sparks, remain in the  
11 hall. Everybody else will go back upstairs -- well, Ms. Wright  
12 will tell you what to do.

13 THE DEPUTY CLERK: You can head back up to the jury  
14 assembly room on 22nd.

15 (At side bar.)

16 MR. FINDLING: Your Honor, you'll probably notice I  
17 stopped questioning No. 54, because he couldn't understand English  
18 too well. I turned to Jeff. Yes, exactly. I didn't want to  
19 embarrass the gentleman. I don't think Mr. Davis, he didn't want  
20 me to embarrass him either. We just wanted to let you know.

21 THE COURT: I appreciate you not putting him on the  
22 spot.

23 (End of side bar.)

24 THE COURT: Mr. Sebastian, the lawyers have a few extra  
25 questions they wanted to ask you privately, and I think Mr.

1 Kitchens will begin.

2 MR. KITCHENS: Thank you, Your Honor.

3 Mr. Sebastian, I appreciate, again, you filling out the  
4 questionnaire.

5 Can you tell us, we're just trying to figure out where  
6 do you currently live?

7 PROSPECTIVE JUROR: I live, like, Douglasville, Powder  
8 Springs, around there.

9 MR. KITCHENS: Okay. So we wanted to make sure we're  
10 clear on this. I think in the questionnaire you may have  
11 indicated that you lived in Dallas, Texas, perhaps?

12 PROSPECTIVE JUROR: Yes, that is where I was born.

13 MR. KITCHENS: That is where you were born. Okay. So  
14 how long have you been living in Douglasville, that area?

15 PROSPECTIVE JUROR: I live in Marietta for -- I'm not  
16 really sure, but I think I then moved into (sic) Powder Springs  
17 for about six or seven years.

18 MR. KITCHENS: You've been in the Powder Springs area  
19 for about six or seven years?

20 PROSPECTIVE JUROR: Yes.

21 MR. KITCHENS: I think that was all we needed to clarify  
22 on our end. Thank you, Mr. Sebastian.

23 THE COURT: Anything else, Mr. Findling?

24 MR. FINDLING: One minute, Your Honor. Let me see his  
25 questionnaire for one second.

1 Sir, what kind of business are you in?

2 PROSPECTIVE JUROR: I do landscaping.

3 MR. FINDLING: Okay. Are you self-employed?

4 PROSPECTIVE JUROR: No.

5 MR. FINDLING: Okay. Will you get paid while you're on  
6 jury duty?

7 PROSPECTIVE JUROR: No.

8 MR. FINDLING: So are you on a daily wage?

9 PROSPECTIVE JUROR: I have to work all my hours every  
10 day so I can pay all my bills. Like my sister recently got  
11 surgery. So I've got to help --

12 MR. FINDLING: I can't hear you.

13 PROSPECTIVE JUROR: My sister got surgery, and I have to  
14 help my sister, too, with payments since she can't work right now.

15 MR. FINDLING: Okay. And are you financially  
16 responsible to help her with that bill?

17 PROSPECTIVE JUROR: Yeah.

18 MR. FINDLING: Okay. And so you indicated that you get  
19 paid -- wherever you work does not give you a payment while you're  
20 on jury service?

21 PROSPECTIVE JUROR: No.

22 MR. FINDLING: Okay.

23 That's all I have, Your Honor.

24 THE COURT: Sir, I ask you to go back upstairs to the  
25 22nd floor. And then we're going to ask Juror No. 27 to come in.

1 THE DEPUTY CLERK: Mr. Fan.

2 MR. FINDLING: Your Honor, just so you don't think the  
3 government and the defense are crazy, this is the exact opposite  
4 here. We all saw the same thing, that he lives in Dallas, Texas.

5 THE COURT: Sometimes it happens. I never think y'all  
6 are crazy.

7 Come up here and have a seat in this first chair right  
8 here, sir.

9 Sir, the lawyers have a few extra questions they want to  
10 ask you privately. Mr. Kitchens will start off.

11 MR. KITCHENS: Thank you, Your Honor.

12 Mr. Fan, good afternoon. Just a couple of brief  
13 questions.

14 You may remember on the questionnaire you were asked for  
15 any sort of opinions you had about prosecutors and defense  
16 counsel. And do you remember, I think you put the comment for  
17 criminal defense attorneys, a lot of them do it for the money.  
18 And so trying to get a better sense of that comment, do you view  
19 criminal defense attorneys negatively?

20 PROSPECTIVE JUROR: Not necessarily. What I meant is, I  
21 couldn't think of any other reason other than the compensation for  
22 accepting the case. But it doesn't really play in the judge's  
23 role of, you know, fairly or not. So that's not --

24 MR. KITCHENS: Is that -- I think you're kind of already  
25 a step ahead of my question. But with that view about, you know,

1 about certain defense counsel, does it -- would it be something  
2 that would come into play in terms of how you would view the  
3 evidence in this case?

4 PROSPECTIVE JUROR: Can you -- can you --

5 MR. KITCHENS: Yes, I'll try to rephrase.

6 Is that something that you would consider when you're  
7 listening to the evidence and you're listening to the judge's  
8 instructions in the case?

9 PROSPECTIVE JUROR: No.

10 MR. KITCHENS: Based on the judge's instructions, and  
11 Judge Jones will tell you this is the evidence you can consider  
12 and this is the evidence you can't consider, would you be able to  
13 follow those instructions?

14 PROSPECTIVE JUROR: Yes, of course.

15 MR. KITCHENS: And would, you know, any sort of views  
16 you may have about prosecutors or defense counsel, would it affect  
17 your ability to be a fair and impartial juror in this case?

18 PROSPECTIVE JUROR: Not at all.

19 MR. KITCHENS: Thank you, Mr. Fan.

20 THE COURT: Mr. Findling?

21 MR. FINDLING: Thank you. Hi, Mr. Fan.

22 PROSPECTIVE JUROR: Yes, sir.

23 MR. FINDLING: How are you doing?

24 PROSPECTIVE JUROR: Good.

25 MR. FINDLING: So I'm going to disagree with my

1 colleague from the prosecution. You didn't say certain defense  
2 counsel, you said defense counsel. And so what you -- what you  
3 said was that you did not necessarily know any other reason -- and  
4 by the way, I appreciate your honesty. We all appreciate you  
5 being honest. You could not necessarily know any other reason why  
6 someone, a defense attorney, an attorney would take a case other  
7 than to make the money.

8 PROSPECTIVE JUROR: Right.

9 MR. FINDLING: And what do you mean by that?

10 PROSPECTIVE JUROR: Okay. So -- well, I don't know how  
11 to --

12 THE COURT: Just say it. You don't have to say any  
13 special words. Just tell the truth.

14 PROSPECTIVE JUROR: I'm sorry?

15 THE COURT: Just say it. You don't have to say any  
16 special words, just tell us.

17 PROSPECTIVE JUROR: Okay. What I meant by what I said  
18 on the answer? Well, I truly just can't think of any other reason  
19 why a defense attorney is involved in a case other than getting  
20 paid to defend.

21 MR. FINDLING: So if I understand what you're saying,  
22 not just in the paper but what you said in the answers a few  
23 minutes ago, you can't see any other reason why someone would  
24 defend somebody charged with a crime other than to get paid?

25 PROSPECTIVE JUROR: Well, because I've never played a



1 role in this, so I don't know how much a defense attorney would  
2 know the case before accepting it. So I don't know if they do.  
3 Sometimes for justice, it could play a role. But before you asked  
4 me this question, I was thinking about just the money as the only  
5 reason it could play a role in this case. Yeah.

6 MR. FINDLING: Okay. Let me put it to you another way,  
7 because -- so I can understand where you are on this, because the  
8 question was to -- regardless of the last question before Mr.  
9 Kitchens sat down was, regardless of any position you have for the  
10 prosecution or the defense, but you really didn't say anything  
11 about the prosecution. So what would be the motivation for these  
12 folks prosecuting a case, would it be to make money?

13 PROSPECTIVE JUROR: It could be -- money could be one  
14 reason, yes.

15 MR. FINDLING: Okay. And so how do you -- the  
16 perception that you have of -- because we're defense attorneys.  
17 And so the perception that you have of us, how does that impact  
18 you and, perhaps, sitting and listening to this case?

19 PROSPECTIVE JUROR: It doesn't impact me. Yeah. Well,  
20 I don't -- I don't know if you -- if you get what I meant by the  
21 money thing. It's not necessarily negatively. Because we -- we  
22 work. That's our -- that is your job to work as an attorney,  
23 right, as a lawyer. So there's nothing wrong with that. But I do  
24 believe in seeing evidence and following instructions. So...

25 MR. FINDLING: So I'm going to -- I know what this judge

1 is going to do, and I'm just asking first, do you understand that  
2 part of what we do is because of what His Honor will be speaking a  
3 lot about to potential jurors, and that is the United States  
4 Constitution, the Constitution is the main motivation for us  
5 sitting at that table with Pastor Bickers. Do you understand that  
6 or is that something that you will need to be educated -- which is  
7 fair -- by His Honor?

8 PROSPECTIVE JUROR: That might be something that I need  
9 to be educated on.

10 THE COURT: Well, let me just say this. I'm probably  
11 the oldest person in this courtroom, and I've been a lawyer and  
12 judge for 37 years. And I have found criminal defense lawyers and  
13 prosecutors do these job because they believe in the United States  
14 Constitution. They believe in justice. That the system -- we  
15 don't have freedom unless somebody steps up there and enforces and  
16 believes in the Constitution. And if you don't have criminal  
17 defense lawyers believing in that, the system does not work. If  
18 you don't have prosecutors believing in that, the system does not  
19 work. And I also found out a lot of times, criminal defense  
20 lawyers and prosecutors can go somewhere and make a whole lot more  
21 money than what they're making now. But they believe in the  
22 system.

23 You're able to come here right now and sit in that chair  
24 and say what you want to say without any worry of somebody taking  
25 you to a gulag or some cold place or putting you in the jail

1 because people like Mr. Findling and Ms. Goldberg and Mr. Kitchens  
2 and Mr. Dillingham and Mr. Davis believe in a system called the  
3 Constitution.

4 Now, if you don't believe that, you need to tell me that  
5 now. Because Mr. Findling is right, when it comes to this kind of  
6 stuff, I feel strongly about it. So it's not -- I won't be  
7 offended. I won't have anybody to arrest you or walk you out of  
8 here if you say you have a problem with that, but I need to know.

9 PROSPECTIVE JUROR: I don't have any problem.

10 THE COURT: Mr. Findling needs to know this and Mr.  
11 Kitchens needs to know absolutely right now, that you're not  
12 saying this to please me. You're saying it because you believe  
13 it.

14 PROSPECTIVE JUROR: I'm sorry, can you --

15 THE COURT: Do you believe -- are you being straight up  
16 honest with me or are you just saying something that you think I  
17 want to hear? Are you going to be fair and impartial in this  
18 case?

19 PROSPECTIVE JUROR: Yes.

20 THE COURT: Can I trust you, can Mr. Findling trust you,  
21 can Mr. Davis and Mr. Kitchens and Ms. Goldberg trust you to be  
22 fair and impartial and to render a verdict based on the evidence  
23 that you hear and the law that you hear and that I charge you in  
24 this case?

25 PROSPECTIVE JUROR: Yes.

1 MR. FINDLING: Thank you, Your Honor.

2 THE COURT: Sir, you can go back upstairs to the 22nd  
3 floor.

4 Next will be 50, Mr. Isenhood.

5 Sir, come up and have a seat right up over here.

6 Sir, a few questions the lawyers want to ask you  
7 privately. We'll start off with Mr. Kitchens.

8 MR. KITCHENS: Thank you, Your Honor. Good afternoon  
9 again, Mr. Isenhood. Just a couple of more questions.

10 I think in one section of the questionnaire you were  
11 presented with sort of a description, a rough description of what  
12 was alleged in this case. And you were asked if you had seen any  
13 sort of news about it, and you indicated no. I just want to make  
14 sure, is that correct?

15 PROSPECTIVE JUROR: That's correct.

16 MR. KITCHENS: And in further response you were asked,  
17 you know, based on what you've read, including that description,  
18 have you formed any opinions. And you stated that Mitzi Bickers  
19 sounds like a bad person with poor ethics and values and that  
20 profit over people is the choice. And then you further elaborated  
21 and you said to the question of regardless of what you've read,  
22 seen, or heard, is any reason you would fail to be fair and  
23 impartial, and you said no. I think the evidence will help  
24 support or refute the charges.

25 I just want to focus on that statement about, you know,

1 sounding like a bad person. Was that based just on that  
2 description of what may be alleged in the case?

3 PROSPECTIVE JUROR: The way it was written.

4 MR. KITCHENS: And have you -- of course, in this case  
5 we haven't yet provided any evidence one way or another about the  
6 case, and you haven't heard anything.

7 Would you wait until hearing the evidence and  
8 considering the evidence before reaching a decision in this case?

9 PROSPECTIVE JUROR: Yes, sir.

10 MR. KITCHENS: Would you -- you'll receive, of course,  
11 instructions from the judge about the type of evidence you may  
12 consider and the type of evidence you may not. Would you be able  
13 to follow those instructions and basing your decision only on the  
14 evidence that's presented and the law that is instructed?

15 PROSPECTIVE JUROR: Yes.

16 MR. KITCHENS: And the evidence as presented, of course,  
17 may turn out to be very different from what was described in that  
18 brief paragraph you saw on the questionnaire.

19 Do you think you'd be able to keep an open mind despite  
20 reading that paragraph in the questionnaire?

21 PROSPECTIVE JUROR: Yes.

22 MR. KITCHENS: And do you think based on everything you  
23 heard, would you keep out of mind just that description and be  
24 able to be a fair and impartial juror that would base your opinion  
25 just on the law and the evidence presented in this case?

1 PROSPECTIVE JUROR: Yes.

2 MR. KITCHENS: Thank you, Mr. Isenhood.

3 THE COURT: Mr. Findling.

4 MR. FINDLING: Mr. Isenhood, I'm going to let you  
5 explain yourself, and so -- because I need to hear what you have  
6 to say, not what I have to say.

7 PROSPECTIVE JUROR: Right.

8 MR. FINDLING: So when you said in the questionnaire --  
9 I don't really care how it was raised, the question, that  
10 Pastor Bickers sounds like a bad person with poor ethics, what did  
11 you mean?

12 PROSPECTIVE JUROR: You know, exactly the way it was  
13 written and the allegations presented and how they were presented  
14 throughout the two or three paragraphs there, it painted her in a  
15 bad light, and I reflected that in my answer.

16 MR. FINDLING: Okay. And I ask you that, the reason I  
17 need you to share with us your thoughts is if you're selected to  
18 be on a jury, what will be published to you at some point, the  
19 reason we're here, is an indictment. It's 26 pages. And Pastor  
20 Bickers would not be sitting there next to us if it said glowing  
21 things about her. So a little paragraph made you think that  
22 before there was any evidence, and we need to be concerned that  
23 when you hear 26 pages, okay, you're going to have the same  
24 reaction and not listen to the evidence.

25 And so tell me your thoughts about that, you know, how

1 that so impacted you, those few sentences.

2 PROSPECTIVE JUROR: I feel like entitlement, abuse of  
3 power, and nepotism, they really get on my nerves, and, you know,  
4 just from -- from, like, core values and just how I was raised,  
5 and my beliefs and those things.

6 MR. FINDLING: So when you read those four or five  
7 sentences in the questionnaire, it made you think of an immediate  
8 abuse of power?

9 PROSPECTIVE JUROR: Right. Yeah, I would agree.

10 MR. FINDLING: Which impacts you at your core?

11 PROSPECTIVE JUROR: Right.

12 MR. FINDLING: Okay. And you understand, we can't erase  
13 your core, like, when you come here?

14 PROSPECTIVE JUROR: Right, right. I would add, too,  
15 like, the -- when you asked about hardship and work and stuff, you  
16 know, I tried to kind of hint towards I've been with a company for  
17 a year, but -- you know, this pharmaceutical company, we make a  
18 breast cancer, prostate cancer drug. I'm just kind of hitting the  
19 end of my line curve and pushing a lot of things through that we  
20 are, you know, preparing for FDA audits and things coming, and  
21 so...

22 MR. FINDLING: You also -- and I appreciate you sharing  
23 that with us. Thank you. I'm sure both sides do.

24 You said that -- you also indicated in that answer that  
25 the government and I are referring to, that profit over people is

1 the choice. And so I take it that something about that impacted  
2 you to think that Pastor Bickers selected profit over what was  
3 best for the people?

4 PROSPECTIVE JUROR: Right.

5 MR. FINDLING: Can you explain that?

6 PROSPECTIVE JUROR: You know, I just think within my  
7 family, we always talk about, you know, people within the  
8 government lining their pockets with -- with tax dollars and, you  
9 know, hiding funds and moving things, and, you know. So it really  
10 just triggers a nerve with that. I mean, you know -- and doesn't  
11 even have to be on that level. My father talked to me about the  
12 other -- the other attorney, like, I was kind of alluding to, and  
13 the State of Mississippi saying that, you know, he's like only  
14 charged 8 to \$10,000, but one of his clients come over and say  
15 they were charged, like, 36 or \$46,000 for the same service, you  
16 know. So in his mind, like, that makes him a crook, you know --  
17 almost. So I kind of tend to hold the same opinions around things  
18 like that.

19 You know, you work -- you work for yourself, you know,  
20 for your team and the people you represent, you follow the law,  
21 the rules of law, the Ten Commandments, all those things in life.  
22 I'm very --

23 MR. FINDLING: Okay.

24 PROSPECTIVE JUROR: -- strong values.

25 MR. FINDLING: Okay. And so do you believe -- and we



1 just need a straight answer, because we've got to invest three  
2 weeks. It's a long time. And it sounds, like, what you're saying  
3 is, those core values, right, the right and wrong that you talked  
4 about, the despising nepotism and things like that, and your  
5 adhering to the Ten Commandments, these are things that it sounds  
6 like are going to impact you going into this event if you become  
7 part of it; is that fair to say?

8 PROSPECTIVE JUROR: I guess this will be a first for me.  
9 So I like to think I'm impartial, but, you know, I think -- I  
10 think the arguments and the evidence is supported in those -- it's  
11 on those things with strong evidence, I do feel like it would  
12 impact that.

13 MR. FINDLING: So the strong evidence --

14 PROSPECTIVE JUROR: It's kind of like ancillary data,  
15 right. It is not the data or the facts, it's the supporting facts  
16 and data that elude to those -- you know, to the overall frame,  
17 you know, the full story, if you will.

18 MR. FINDLING: Okay. And is that -- is that supporting  
19 data, what you're referencing, in terms of, like, what you've  
20 heard already combined with the conviction that you have on a  
21 personal level?

22 PROSPECTIVE JUROR: Yeah. So I guess it's kind of like  
23 my father saying you make your -- you base your decision on what  
24 you know at the time; right? And I presented decisions on --  
25 based on what I was presented at the time. So I think you involve

1 your -- I think you involve those -- well, not your values and  
2 beliefs, but you involve your -- at least the full story or the  
3 thoroughness of the story as the evidence is presented.

4 MR. FINDLING: So our dilemma is that -- both sides, we  
5 have three weeks.

6 PROSPECTIVE JUROR: Right.

7 MR. FINDLING: And it's a lot to ask of you to say that  
8 you're going to put all these things -- what your dad shares with  
9 you --

10 PROSPECTIVE JUROR: Right.

11 MR. FINDLING: Apparently, you're reflecting on what  
12 your dad tells you, you're reflecting on the Ten Commandments,  
13 you're referencing important values that you have that led you to  
14 write those couple of sentences that we keep on questioning you  
15 about. If those are going to impact you even one degree, it's  
16 okay, but we just need to know before we decide to keep you with  
17 us for three weeks. So do you think, to some degree, whether it's  
18 one-tenth of a percent, that they'll impact you?

19 PROSPECTIVE JUROR: Yeah, I think to some degree.

20 MR. FINDLING: That's all I have, Your Honor.

21 THE COURT: Thank you, sir.

22 You can go back to the 22nd floor.

23 No. 55. Ms. Neely.

24 Ma'am, come up and have a seat right here. The lawyers  
25 have a few extra questions they want to ask you privately.

1 PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: Mr. Kitchens, you may proceed.

3 MR. KITCHENS: Good afternoon, Ms. Neely.

4 You indicated on your questionnaire that you had some  
5 form of hardship in your belief, and you indicated, I think, that  
6 it was -- I think you wrote private. I don't want to put you in a  
7 position if you're uncomfortable at all, and would like to address  
8 the Court and let the Court know what that matter may be. You are  
9 certainly welcome to do that. But the Court does need to know the  
10 nature of what your hardship may be.

11 PROSPECTIVE JUROR: Well, I would rather say it  
12 privately.

13 MR. KITCHENS: Excuse me, ma'am? I'm sorry.

14 THE COURT: Mr. Kitchens, Mr. Davis, Mr. Findling, Ms.  
15 Goldberg, do you have a problem with me stepping into the jury  
16 room and communicating with you-all later about it?

17 MR. FINDLING: We have no objection, your Honor.

18 MR. DAVIS: No objection.

19 THE COURT: If y'all will give us five minutes.

20 Let's take a ten-minute break right here. Come back at  
21 4:10.

22 (A recess was taken.)

23 THE COURT: Y'all can be seated. Mr. Kitchens and Mr.  
24 Findling, the question that y'all are referring to, question  
25 No. 59, the juror did not understand the question. And once I

1 explained the question to her -- Ms. Neely did not understand the  
2 question. Question No. 59 says, "This trial is expected to take  
3 up to three weeks. Do you have any personal, professional, or  
4 financial obligations that you would like the Court to consider  
5 that might make it difficult for you to serve on a trial of this  
6 duration." And she did not understand the question. That's why  
7 she said privately. She is now prepared to answer that question  
8 to you-all here in open court.

9 MR. KITCHENS: Okay. Thank you, Your Honor.

10 So thank you, again. Just a simple question. Is there  
11 any hardship you would see in serving on this jury for three  
12 weeks?

13 PROSPECTIVE JUROR: It's because my husband passed, I  
14 get my kids to take me where I need to go. And usually for me to  
15 do it, I would have to get someone to take off from their job to  
16 bring me. I don't feel comfortable riding Uber and things like  
17 that. And so that's my answer to that question, and I apologize  
18 that I didn't understand you.

19 MR. KITCHENS: No problem. That's helpful. I think  
20 that's all the questions I have. Thank you.

21 THE COURT: Mr. Findling.

22 MR. FINDLING: Hi, Ms. Neely.

23 PROSPECTIVE JUROR: Hello.

24 MR. FINDLING: So it just seems that this would be a  
25 real problem for you on a personal level?

1 PROSPECTIVE JUROR: Yes.

2 MR. FINDLING: Three weeks is a long time.

3 PROSPECTIVE JUROR: Yes.

4 MR. FINDLING: And you have no -- you literally have no  
5 way to get here other than asking people to take you?

6 PROSPECTIVE JUROR: Yes.

7 MR. FINDLING: You don't do Uber or anything like that?

8 PROSPECTIVE JUROR: I don't do Uber. No, I don't.

9 MR. FINDLING: You don't feel safe taking a taxi.

10 PROSPECTIVE JUROR: No.

11 THE COURT: Is her microphone on?

12 Let's see if we can finish it. Go ahead. Speak up a  
13 little bit louder, ma'am.

14 PROSPECTIVE JUROR: Okay.

15 MR. FINDLING: So it -- it seems that this would just be  
16 a very bad hardship on you on a personal level?

17 PROSPECTIVE JUROR: Yes.

18 MR. FINDLING: Okay. If I could sum it up then, for  
19 three weeks you would need to be asking other folks to drive you?

20 PROSPECTIVE JUROR: Yes.

21 MR. FINDLING: You don't do Uber?

22 PROSPECTIVE JUROR: I don't Uber.

23 MR. FINDLING: And you don't do taxis?

24 PROSPECTIVE JUROR: And I don't do taxis. But my  
25 husband passed, and he was the one -- before my husband passed, he

1 was the one that would take me places, and since he passed, I ask  
2 my children to do it.

3 MR. FINDLING: So, ma'am, you don't drive?

4 PROSPECTIVE JUROR: I do drive. I do not drive  
5 downtown.

6 MR. FINDLING: Okay.

7 PROSPECTIVE JUROR: And right now my car isn't working.

8 MR. FINDLING: Okay.

9 PROSPECTIVE JUROR: Yes.

10 MR. FINDLING: So you have no way to get here?

11 PROSPECTIVE JUROR: I have no way to get here.

12 MR. FINDLING: All right.

13 Your Honor, that's all I have.

14 THE COURT: Thank you. Thank you, ma'am. You can go  
15 back upstairs. It's a pleasure. Good to talk to you.

16 PROSPECTIVE JUROR: Thank you.

17 THE COURT: No. 60.

18 THE DEPUTY CLERK: 56.

19 THE COURT: 56 is Ms. Sparks. Hold on a second.

20 Ma'am, you can go upstairs.

21 You probably have enough to qualify.

22 MR. DAVIS: I was just going to say --

23 THE COURT: The problem I have, I can't say that until I  
24 hear whether you have challenges for cause. If you don't have  
25 challenges for cause, neither one of you-all, we don't need to

1 question anyone else. But I can't say that, because I don't know  
2 how many challenges for cause.

3 MR. KITCHENS: I think even if there are some cause  
4 challenges and there may be a couple of hardships from what we  
5 looked at as well, I still think we are --

6 THE COURT: Well, let's just let Ms. Wright count how  
7 many we have right now before we have challenges for cause.

8 THE DEPUTY CLERK: At the end of the last group, we have  
9 31 qualified.

10 THE COURT: And that's not counting these 20?

11 THE DEPUTY CLERK: That's right.

12 THE COURT: Okay. I think you do it again. I can't say  
13 without knowing how many you-all will challenge for cause. Let's  
14 stop it right there.

15 Does the government have any challenges for cause out of  
16 the ones we've already questioned?

17 MR. KITCHENS: We do not, Your Honor. I think there is  
18 maybe one or two hardships, but that's it.

19 THE COURT: All right. We'll come back to hardships.  
20 Any challenges for cause, Mr. Findling?

21 MR. FINDLING: Yes, Your Honor. We're going to  
22 challenge No. 42 with his 97 percent research. You know, Your  
23 Honor, when you questioned him, the first couple of questions he  
24 then cleaned up. Like, when he gave himself -- he just, to me,  
25 with a lot of people that we have, it's too much of a roll of the

1 dice. I don't want to question the guy's honesty, but he's, like,  
2 doing research coming in, and --

3 THE COURT: I understand where you're coming from. Let  
4 me hear from Mr. Kitchens on it.

5 MR. KITCHENS: I think Mr. Findling raises a fair point.  
6 I think it was a little unclear. We tried to ask him where he --  
7 I think we would stipulate to cause.

8 THE COURT: You are a wise man, Mr. Kitchens.  
9 42 is off.

10 MR. FINDLING: One second, Your Honor.  
11 Your Honor, we would move for cause for No. 50, Mr.  
12 Isenhood.

13 THE COURT: Let me say this, Mr. Kitchens. Mr.  
14 Isenhood -- I want to say this in a respectful way. It concerned  
15 the Court how you he tried or how he answered the questions,  
16 particularly to Mr. Findling. Now, he said the right things with  
17 you, but...

18 MR. KITCHENS: I'm with you, Your Honor. It struck me  
19 in hearing him -- while I think when I asked him questions he  
20 seemed generally fine. I think he was equivocal, he said some  
21 things about his father and how those opinions would play -- we  
22 would stipulate to cause.

23 THE COURT: I would agree. He's off. Thank you, Mr.  
24 Kitchens.

25 Who else is a challenge for cause?



1 MR. FINDLING: One second, Your Honor.

2 Your Honor, the defense would move for 51, Demetra  
3 Moreland. When she was asked to set aside her predisposition as  
4 to corruption, she had a lengthy pregnant pause and seemed to be  
5 vacillating on whether or not she would be able to set aside her  
6 predispositions coming in.

7 MR. KITCHENS: In our view, I think we had a concern  
8 similarly. I think when Your Honor asked questions, there were, I  
9 think, two pregnant pauses -- I think that's an accurate  
10 description of it -- before she agreed. I had that same confusion  
11 that you hit on where it seems she was very reluctant. She said,  
12 no, I need to take this into account, and then she gave some  
13 conflicting answers.

14 I think she also had a bit of a hardship that she  
15 explained as well. We were going to raise her as a potential  
16 hardship given what she explained about her finances and needing  
17 the money to live.

18 THE COURT: I think you're right. All right. She's  
19 off.

20 MR. FINDLING: And I think we've agreed to let 54 go,  
21 Your Honor.

22 THE COURT: Yes. We already agreed to take 54 off.

23 MR. FINDLING: And, Your Honor, the last juror that I  
24 had --

25 THE COURT: Let's get to the hardship. I want to find

1 out how many jurors I've got and don't fall under hardship. So  
2 let me count them. Here's the ones that I find don't fall into  
3 the hardship: No. 43, 46, 47, 48, 49.

4 Let's start again. I'm sorry.

5 43, 44, 46, 47, 49, 53, 56, 58, 59, 60, 61. I don't see  
6 where they had hardships. The ones I thought may have a  
7 possibility of a hardship -- 44 might fall into that, but I don't  
8 think so. He says he helps his sister, he has to work, but that  
9 affects everybody. I'm not going to count him.

10 I think No. 52, she says her moms needs her and she  
11 doesn't have anyone else. 55, she says she needs someone to bring  
12 her. 57, the father-in-law -- March 24, we probably will be done  
13 with this case by March 24. He's going to be out all day, and I  
14 really don't want to get into that.

15 Those are the ones that had possible hardships. Did  
16 y'all have anyone else?

17 MR. KITCHENS: No, Your Honor.

18 MR. FINDLING: No, Your Honor. Those are exact.

19 THE COURT: I think we can let those go, because we have  
20 enough I think. Let's have Ms. Wright count them first. I think  
21 we have 40.

22 THE DEPUTY CLERK: Including the entire group, that  
23 gives us 42 qualified.

24 THE COURT: Ms. Wright, if you don't mind starting with  
25 No. 1, let's go through them and y'all check it off. Ms. Wright

1 is going to start with No. 2 and go through them on who's  
2 qualified, who has been disqualified, all the way through. And  
3 then stop her if she says something that disagrees with your  
4 recollection.

5 THE DEPUTY CLERK. Please.

6 THE COURT: Ready? All right, go.

7 THE DEPUTY CLERK: No. 1 was deferred previously.

8 No. 2 is qualified.

9 No. 3 is qualified.

10 No. 4 is qualified.

11 No. 5 is qualified.

12 No. 6 stricken for cause.

13 No. 7 stricken for cause.

14 No. 8 qualified.

15 No. 9 qualified.

16 No. 10 stricken for cause.

17 No. 11 stricken for cause.

18 No. 12 qualified.

19 No. 13 stricken for cause.

20 No. 14 qualified.

21 No. 15 qualified.

22 No. 16 qualified.

23 No. 17 qualified.

24 No. 18 qualified.

25 No. 19 stricken for cause.

1 No. 20 qualified.

2 No. 21 qualified.

3 No. 22 qualified.

4 No. 23 qualified. 24 stricken for cause.

5 No. 25 qualified.

6 No. 26 qualified.

7 No. 27 qualified.

8 No. 28 qualified.

9 No. 29 qualified.

10 No. 30 qualified.

11 No. 31 stricken for cause.

12 No. 32 qualified.

13 No. 33 qualified.

14 No. 34 qualified.

15 No. 35 qualified.

16 No. 36 qualified.

17 No. 37 qualified.

18 No. 38 qualified.

19 No. 39 qualified.

20 No. 40 qualified.

21 No. 41 stricken for cause.

22 No. 42 stricken for cause.

23 No. 43 qualified.

24 No. 44 qualified.

25 No. 45 stricken for cause.

1           No. 46 qualified.

2           No. 47 qualified.

3           No. 48 deferred due to illness.

4           No. 49 qualified.

5           No. 50 stricken for cause.

6           No. 51 stricken for cause.

7           No. 52 stricken for cause.

8           No. 53 qualified.

9           No. 54 stricken for cause.

10          No. 55 stricken for cause.

11          No. 56 qualified.

12          No. 57 stricken for cause.

13          No. 58 qualified.

14          No. 59 qualified.

15          No. 60 qualified.

16          No. 61 qualified.

17          And No. 62 qualified.

18           THE COURT: Okay. We will select 12 jurors and 3  
19 alternates of those 42. Now, Ms. Wright is going to explain to  
20 y'all how we are going to proceed.

21           Do y'all need 15 minutes to look over your notes? How  
22 much time do you need, Mr. Davis? Do you need more than 15  
23 minutes to look over your notes before you select a jury?

24           MR. DAVIS: That works, Judge.

25           THE COURT: What about y'all?

1 MR. FINDLING: Your Honor, can we get about 20 minutes?  
2 Is that okay?

3 THE COURT: 20 minutes. Ms. Wright is going to explain  
4 how the jury selection is going to go once we come back in here.  
5 Just sit tight. The clock has not started.

6 MR. FINDLING: What are the number of the strikes and  
7 the alternates again?

8 THE COURT: 10/6. The alternates one each. For each  
9 alternate, one each.

10 THE DEPUTY CLERK: Okay. So for the 12 jurors, you'll  
11 be selecting from the first 28 qualified, which takes you through  
12 panel No. 37. Of course, exclusive of those that have been  
13 stricken for various reasons. And so the strikes will come for  
14 the three alternates -- will be in the range of No. 38 through No.  
15 44. Then the remainder will not be included in the strike zone,  
16 so to speak.

17 THE COURT: Any questions, Mr. Davis, about jury  
18 selection?

19 MR. DAVIS: No, sir. Thank you.

20 THE COURT: Any question about jury selection?

21 MS. GOLDBERG: Yes, Your Honor. So are we -- I guess  
22 can we jump around within those?

23 THE DEPUTY CLERK: As long as it's within those two zone  
24 areas, we'll select the jurors. I'll hand the paper back and  
25 forth to you. We'll start with the government; they'll take one

1 strike and defense will take two. And if you'd indicated G1, D2,  
2 and so forth. Then once the 12 are selected, then we will move  
3 into the zone for the alternates, which is 38 to 44.

4 MS. GOLDBERG: Okay, so we're going to do one, two, one,  
5 two?

6 THE DEPUTY CLERK: One, two -- yeah, exactly. And then  
7 one strike on each side for the alternate.

8 MS. GOLDBERG: Thank you.

9 MR. FINDLING: Your Honor, I believe that under Rule 24  
10 when we jump up to the third alternate, both sides get an  
11 additional strike.

12 THE COURT: I'll give you an additional strike, if you  
13 want it. I don't know what to say. I don't have the rule -- I  
14 guess I can pull Rule 24 out.

15 Before we go through this, what's the government's  
16 position? Do y'all want an additional strike?

17 MR. DAVIS: We're just doing research, sir. Give us a  
18 quick minute.

19 THE COURT: All right. It's two strikes per side if we  
20 move up. So you get that additional.

21 THE DEPUTY CLERK: So that will take the -- will alter  
22 the range for the alternates from 38 through 47.

23 MS. GOLDBERG: Okay.

24 THE COURT: All right. Okay. It is now 4:35. At 4:55  
25 I will be back in here and we will -- Ms. Wright, here is what you

1 need to do. We can't get all of the jurors in here, 42 of them,  
2 without them being shoulder to shoulder. We can't put them in the  
3 box.

4 Does anybody have any objection of me not bringing all  
5 42 back down for y'all to look at, and then if we bring down the  
6 15 that is selected?

7 MR. DAVIS: No objection.

8 MS. GOLDBERG: No objection.

9 THE COURT: All right. Then at 4:55 Ms. Wright will  
10 start passing the papers between the two of y'all.

11 Thank you, y'all.

12 (A recess was taken.)

13 THE COURT: Mr. Davis, is the government prepared for  
14 jury selection?

15 MR. DAVIS: Yes, sir.

16 THE COURT: Mr. Findling, is the defense ready for jury  
17 selection?

18 MR. FINDLING: We are ready, Your Honor.

19 THE COURT: Ms. Wright, we will proceed.

20 THE DEPUTY CLERK: Judge, the government has declined to  
21 take their second strike. So the last eligible juror is up to  
22 No. 46.

23 THE COURT: Is that correct, Mr. Davis?

24 MR. DAVIS: That's correct. Thank you, sir.

25 THE COURT: Thank you.



1 All right. Is there any challenges to the jury  
2 selection coming from the government?

3 MR. DAVIS: No, sir.

4 THE COURT: Any challenges of the jury selection coming  
5 from the defense?

6 MR. FINDLING: No, Your Honor.

7 THE COURT: What's going to happen, Ms. Wright is going  
8 to go get the 15 jurors. Some are in Judge Boulee's courtroom and  
9 some are upstairs. It's probably going to take 10 or 15  
10 minutes -- about 10 minutes. So if y'all want to leave -- I just  
11 don't want y'all to mingle with the jurors as they're coming in.  
12 I prefer if y'all sit in your seat, if you don't mind, so we don't  
13 have jurors intermingling when they're coming in.

14 MR. DAVIS: Judge, can we address two small matters?

15 THE COURT: Yes.

16 MR. DAVIS: First, Judge, given sort of the length of  
17 the case and the complexity of the indictment, we were going to  
18 ask for an extra five minutes for openings.

19 THE COURT: That's fine.

20 MR. DAVIS: I don't think there is an objection from the  
21 defense.

22 THE COURT: That's fine.

23 MR. FINDLING: No objection.

24 THE COURT: That's fine.

25 MR. DAVIS: Second, Judge, at the pretrial conference

1 you asked Pastor Bickers how she wanted to be addressed, and she  
2 decided to be addressed -- or she appropriately decided to be  
3 addressed by Pastor Bickers. And we want to be respectful during  
4 the trial, but some of our witnesses do not know that Ms. Bickers  
5 is a pastor. They're not going to address her as pastor. They're  
6 going to address her as Ms. Bickers. And, Judge, we were going to  
7 ask that you instruct the jury that during this trial -- in this  
8 courtroom people are going to refer to Ms. Bickers both as  
9 Pastor Bickers and Ms. Bickers, and that there is no disrespect or  
10 additional deference from either way that she's addressed.

11 THE COURT: I will do that. Let me also say, my main  
12 question is how the Court will address her. And I didn't want to  
13 say Reverend Bickers or Ms. Bickers and she indicated Pastor  
14 Bickers. But I will instruct the jury there may be some witnesses  
15 that may refer to Pastor Bickers as Reverend Bickers or  
16 Ms. Bickers, and that's not meant to show disrespect.

17 MR. FINDLING: So, Your Honor, here's my take. My take  
18 is if we draw attention to it, then they'll draw attention to it.  
19 I don't think it's going to be that big of a deal. I think if we  
20 let them know, it's letting them know that some people are going  
21 to regard her in a different way. I know she's not offended by  
22 it, by people calling her alternatively.

23 THE COURT: Hold on. We have jurors coming in.

24 I see Mr. Davis' point. Mainly why I said it, I didn't  
25 want to show disrespect myself as the Court to Pastor Bickers.

1 But there are some people who will be offended if a person calls  
2 her Ms. Bickers.

3 I've been in Georgia all my life, and there are some  
4 people, Mr. Findling, that are offended when you say, well, you  
5 know this person is a minister and you're still calling them miss  
6 or mister.

7 MR. FINDLING: I think it -- okay. You know, it's quite  
8 often we hear people on the stand and they're testifying and they  
9 call somebody the defendant and nobody says anything then; right?  
10 And so I'm sure that, you know, there will be people that are  
11 going to say that, and --

12 THE COURT: It's a little different, though.

13 MR. FINDLING: I'm sorry?

14 THE COURT: It's a little different. These jurors know  
15 that Pastor Bickers is a minister.

16 Again, I see y'all's point. I understand what Mr. Davis  
17 is saying. Can we tell all of the witnesses she's a pastor? I  
18 don't want -- I think -- I think it wouldn't hurt just to tell  
19 them, look, some people don't know that Pastor Bickers is a pastor  
20 or a minister and they may refer to her as Ms. Bickers. You do  
21 have witnesses that don't know that?

22 MR. DAVIS: That's correct, Judge. In addition, you  
23 know, if you're constantly referring to her as Pastor Bickers and  
24 someone refers to her as Ms. Bickers, we don't want to seem like  
25 we're doing anything disrespectful.

1 MR. FINDLING: And in a like fashion, I don't want these  
2 jurors to think there are witnesses that are being -- by calling  
3 her that, we're bringing attention to -- well, I didn't even know  
4 she was a pastor. What is this pastor thing about? I just think  
5 it accentuates something that is better left off not said.

6 THE COURT: Hold on. Right now, Mr. Findling, I plan on  
7 telling them, but I'm not going to address it until the morning.  
8 If I change my mind, I'll tell you. I can see where people would  
9 be offended. But, you know, right now I'm going to tell them. If  
10 I change my mind, I'll tell you tomorrow. I'm going to tell them.  
11 Is there anything else? Thank you.

12 Bring them in.

13 (The jury is seated at 5:20 p.m.)

14 THE COURT: Y'all come have a seat in the jury box.

15 Come have a seat in the jury box, please.

16 As soon as Ms. Wright comes in, we will start.

17 When your name is called, to make sure we have the right  
18 15 jurors, just raise your hand. Okay?

19 THE COURT: All right.

20 THE DEPUTY CLERK: Don Walbert, Samuel Howell,  
21 Afi Simmons, Reginald Smith, Allexus Kendrick, Clinton Bush,  
22 Tonya Dale, Chilmus Hamilton, Tenesha Howell, Angela Nave,  
23 Gary Reissner, Joel Ross, Ruby Williams, Llandro Sebastian, and  
24 Hayley Simmons.

25 THE COURT: Okay. Will all 15 of you please stand and

1 raise your right hand. Ms. Wright is going to administer an oath  
2 to you.

3 (The jury is sworn.)

4 THE COURT: You can be seated.

5 Now, members of the jury, I have some preliminary  
6 instructions for y'all to start the trial, and then I'll give you  
7 some other instructions at the end of the trial.

8 But the instructions I'm going to give you now is very  
9 important. It is like a guideline or map on how you should  
10 conduct yourself as jurors on this trial, and how the trial will  
11 proceed and certain aspects about the trial.

12 Members of the jury, now you've been sworn, I need to  
13 explain some basic principles about a criminal trial and your duty  
14 as jurors.

15 These are preliminary instructions. At the end of the  
16 trial, I will give you more detailed instructions.

17 First thing I want to talk about is the duty of the  
18 jury. It is your duty to decide what happens so you can determine  
19 whether the defendant is guilty or not guilty of the crime charged  
20 in the indictment. At the end of the trial, I will explain the  
21 law that you must follow to reach your verdict. You must follow  
22 the law as I explain it to you, even if you do not agree with the  
23 law.

24 Now, what is evidence? You must decide the case solely  
25 on the evidence presented here in the courtroom. Evidence can

1 come in many forms. It can be testimony about what someone saw or  
2 heard or smelled. It can an exhibit admitted into evidence. It  
3 can be someone's opinion.

4           Some evidence proves a fact indirectly, such as a  
5 witness who saw wet grass outside and people walking into the  
6 courthouse carrying wet umbrellas.

7           Indirect evidence, sometimes called circumstantial  
8 evidence, is simply a chain of circumstances that proves a fact.

9           Now, members of the jury, as far as the law is  
10 concerned, it makes no difference whether the evidence is direct  
11 or indirect. You may choose to believe or disbelieve either kind  
12 and should give every piece of evidence whatever weight you think  
13 it deserves.

14           Now, what is evidence? Excuse me. What is not  
15 evidence? Certain things are not evidence and must not be  
16 considered, and I will list them for you now: Statements and  
17 arguments of the lawyers. In their opening statements and closing  
18 arguments, the lawyers will discuss the case, but their remarks  
19 are not evidence. Questions and objections of the lawyers. The  
20 lawyers' questions are not evidence. Only the witness' answers  
21 are evidence. You should not think that something is true just  
22 because a lawyer questions or suggests that it is. For instance,  
23 if a lawyer asks a witness, you saw the defendant hit his sister,  
24 didn't you, that question is no evidence whatsoever of what the  
25 witness saw or what the defendant did, unless the defendant agrees

1 with it.

2           Now, ladies and gentlemen, there are rules of evidence  
3 that control what can be received into evidence. When a lawyer  
4 asks a question or offers an exhibit and the lawyer on the other  
5 side thinks it's not permitted by the rules of evidence, that  
6 lawyer may object. If I overrule the objection, then the question  
7 may be answered or the exhibit received. If I sustain the  
8 objection, then the question cannot be answered and the exhibit  
9 cannot be received. Whenever I sustain an objection to a  
10 question, you must ignore the question and not try to guess what  
11 the answer would have been.

12           Sometimes I may order the evidence be stricken and that  
13 you disregard or ignore it. That means that when you're deciding  
14 the case, you must not consider that evidence.

15           Some evidence is admitted only for a limited purpose.  
16 When I instruct you that an item of evidence has been admitted for  
17 a limited purpose, you must consider it only for that limited  
18 purpose and no other.

19           Now let's talk now about credibility of witnesses.

20           In reaching your verdict, you may have to decide what  
21 testimony to believe and what testimony not to believe. You may  
22 believe everything a witness says or part of it or none of it. In  
23 considering the testimony of any witness, you may take into  
24 account the following: The opportunity and ability of the witness  
25 to see or hear or know the things testified to; the witness'

1 memory; the witness' manner while testifying; the witness'  
2 interest in the outcome of the case and any bias or prejudice;  
3 whether other evidence contradicts the witness' testimony; the  
4 reasonableness of the witness' testimony in light of all of the  
5 evidence; and any other factors that bear on believability.

6           Members of the jury, I will give you additional  
7 guidelines to determine credibility of the witnesses at the end of  
8 the case.

9           Now, rules for criminal cases. As you know, this is a  
10 criminal case. There are three basic rules about a criminal case  
11 that you must keep in mind.

12           First, the defendant is presumed innocent until proven  
13 guilty. The indictment against the defendant brought by the  
14 government is only an accusation and nothing more. It is not  
15 proof of guilty or anything else. The defendant, therefore,  
16 starts out with a clean slate.

17           Second, the burden of proof is on the government until  
18 the very end of the case. Defendant has no burden to prove her  
19 innocence or to present any evidence or to testify. Since the  
20 defendant has the right to remain silent and may choose whether to  
21 testify, you cannot legally put any weight on the defendant's  
22 choice not to testify. It is not evidence.

23           Third, the government must prove the defendant's guilt  
24 beyond a reasonable doubt. I will give you further instruction on  
25 this point later, but bear in mind, the level of proof required is



1 high.

2 Now, let's talk about the conduct of the jury.

3 Our law requires that jurors follow certain instructions  
4 regarding their personal conduct in order to help assure a just  
5 and fair trial. I will now give you those instructions.

6 Do not talk either among yourself or with anyone else  
7 about anything related to the case. You may tell people with whom  
8 you live and your employer that you are a juror and give them  
9 information about when you will be required to be in court, but  
10 you may not discuss with them or anyone else anything related to  
11 the case. Do not at any time during the trial request, accept,  
12 agree to accept, or discuss with any person any type of payment or  
13 benefit in return to supplying any information about the trial.  
14 You must promptly tell me about any incident you know of involving  
15 an attempt by any person to improperly influence you or any member  
16 of the jury.

17 Do not visit or view the premises or place where the  
18 charged crime is allegedly committed or any other premise or place  
19 involved in the case. And you must not use Internet maps or  
20 Google Earth or any other program or device to search for and view  
21 any location discussed in the testimony.

22 Do not read, watch, or listen to any accounts or  
23 discussions related to the case which may be reported by the  
24 newspapers, television, radio, the Internet, or any other news  
25 media.

1 Do not attempt to research any fact, issue, or law  
2 related to this case, or by discussions with others, by the  
3 library, or Internet research, or any other means or source.

4 Now, members of the jury, in this age of instant  
5 electronic communication and research, I want to emphasize that in  
6 addition to not talking face-to-face with anyone about the case,  
7 you must not communicate with anyone about the case by any other  
8 means, including by telephone, text messages, e-mail, Internet  
9 chat, chat rooms, blogs, or social network or websites and apps  
10 such as Facebook, Instagram, Snapchat, YouTube, or Twitter. In  
11 other words, do not talk about the case until I tell you to begin  
12 your deliberations. Don't talk about it with anyone or look up  
13 anything about it, period.

14 You may not use any similar technology or social media,  
15 even if I don't specifically mention it here. You must not  
16 provide any information about the case to anyone by any means  
17 whatsoever, and that includes post information about the case or  
18 what you were doing in the case or any device or Internet site,  
19 including blogs, chat rooms, social websites, or any other means.

20 Now, members of the jury, you also must not use Google  
21 or otherwise search for any information about the case or the law  
22 that applies to the case or the people involved in the case,  
23 including the defendant, the witnesses, the lawyers, or the judge.

24 It is important that you understand why these rules  
25 exist and why they are so important. Our law does not permit the

1 jurors to talk to anyone else about the case or to permit anyone  
2 to talk to them about the case, because only the jurors are  
3 authorized to render a verdict. Only you have been found to be  
4 fair and only you have promised to be fair, and no one else is so  
5 qualified.

6 Our laws also do not permit the jurors to talk among  
7 themselves about the case until the Court tells them to begin  
8 deliberations. Because premature discussions can lead to a  
9 premature final decision.

10 Our laws also does not permit you to visit the place  
11 discussed in the testimony. First, you can't be sure that the  
12 place is in the same condition as it was on the day in question.

13 Second, even if it were in the same condition, once you  
14 go to a place discussed in the testimony to evaluate the evidence  
15 in light of what you see, you become a witness and not a juror.  
16 As a witness, you may now have a mistaken view of the scene that  
17 neither party may have a chance to correct, and that is not fair.

18 Finally, our law requires you not to read or listen to  
19 any news accounts of the case, and that you not attempt to  
20 research any fact, issue, or law related to the case. Your  
21 decision must be based solely on the testimony and other evidence  
22 presented in this courtroom.

23 Also, the law often uses words and phrases in such ways,  
24 so it's important that any definitions you hear come only from me  
25 and not from any other source. It wouldn't be fair to the parties

1 for you to base your decision on some reporter's view or opinion,  
2 or upon other information you acquire outside of the courtroom.

3 Now, members of the jury, these rules are designed to  
4 help guarantee a fair trial. And our law accordingly sets serious  
5 consequences if the rules are not followed. I trust that you  
6 understand and appreciate the importance of following these rules;  
7 and according to your oath and promise, I know you will do so.

8 Now, ladies and gentlemen, as far as taking notes, if  
9 you wish you may take notes to help you remember what witnesses  
10 said. If you do take notes, please keep them to yourself until  
11 you and your fellow jurors go to the jury room to decide the case.  
12 Do not let note taking distract you so that you do not hear other  
13 answers by witnesses. When you leave the courtroom, your notes  
14 should be left in the jury room. Whether or not you take notes,  
15 you should rely on your own memory of what was said. Notes are to  
16 assist your memory only. They're not entitled to any greater  
17 weight than your memory or impression about the testimony.

18 So, ladies and gentlemen of the jury, we're going to  
19 give you note pads and pencils. If you want to take notes, that's  
20 fine. But when you leave, don't ever leave your notes sitting in  
21 your seat. When you leave for breaks, when you leave at the end  
22 of the day, take your notes with you, but don't take your notes  
23 home, leave them in the jury room.

24 Now, let's talk about the course of the trial. The  
25 trial will begin -- first, the government will make an opening

1 statement, which is simply an outline to help you understand the  
2 evidence as it comes in.

3           Next, the defendant's attorney may, but does not have  
4 to, make an opening statement. Opening statements are neither  
5 evidence nor argument. The government will then present its  
6 witnesses, and counsel for the defendant may cross-examine them.  
7 As far as the government's case, the defendant may, if she wishes,  
8 present witnesses for whom the government may cross-examine.  
9 After all of the evidence is in, the attorneys will present their  
10 closing arguments to summarize and interpret the evidence for you.  
11 And I will then finally instruct you on the law. After that you  
12 will go to the jury room to decide your verdict.

13           Now, members of the jury, sometimes criminal trials  
14 attract the attention of the media and the public. The level of  
15 interest is unpredictable and not within my control.

16           This case involves one defendant and may continue for  
17 some time. We estimate three weeks. It may attract an unusual  
18 amount of attention. So that may be curiosity about the  
19 participants, lawyers, witnesses, defendants, judge, perhaps even  
20 the jurors. People will ask questions to learn more about the  
21 case. Even though these questions may be well-intentioned, they  
22 may still distract you from your duties as a jurors. These  
23 questions can be awkward or inconvenient for you and your family  
24 and friends. They can be part of an unwanted improper approach  
25 towards you from outside of the courtroom. During your service as

1 a juror, you must not discuss this case with anyone, and even  
2 after the case is finished, you will not be required to explain  
3 your verdict -- explain your verdict or jury service to anyone.  
4 Your names and personal information will be known only to the  
5 court personnel and the parties, and will not be disclosed.

6 To discourage unwarranted publicity, telephone calls,  
7 letters, and questions, you will be referred to only by your jury  
8 number. This is not intentional to be offensive for you, but  
9 again, it's for your own privacy.

10 Now, those instructions I'm giving you, but I would like  
11 to just add a few more instructions for you. We'll start each day  
12 at 9 o'clock, except for Monday. Monday we'll start at 9:30.  
13 We'll start at 9 each day, and we'll break for lunch at 12:30.  
14 Between 9 and 12:30, we'll probably take a break between 10:15,  
15 10:30. However, at some point in time you need to take a break  
16 before we stop to take a break, just raise your hand and I'll  
17 acknowledge you as quick as I can unless we're in the middle of a  
18 question or something. The lunch break is one hour.

19 As I indicated to you-all earlier today, there is not  
20 any restaurants or places close to this courthouse that you can  
21 leave here, go order lunch, properly digest it, and get back here  
22 in one hour. If you think you can, more power to you. I highly  
23 recommend that you either bring your lunch and leave it upstairs  
24 in the refrigerator on the 22nd floor and get it at lunchtime.  
25 You can eat it on the 22nd floor, or you can bring it back down

1 here in the jury room, or you can take it to the cafeteria and  
2 eat, or you can order your lunch in the cafeteria.

3 I eat there, the lawyers eat there. It meets the  
4 purpose needed to get you through a full day. Okay?

5 We will go to 5 each day except for tomorrow. We'll  
6 stop tomorrow at 4. But the rest of the time, 9 to 5. We may go  
7 past 5 if we have a witness on the stand that I want to complete  
8 and the lawyers say, Judge, can I complete him because they have  
9 to go somewhere and can't come back. But most days at 5 we'll be  
10 stopping. Okay.

11 Now, as far as your time, we will start opening  
12 statements at 9 in the morning and start again just about every  
13 day at 9. I prefer having you in the jury room at 8:45 so that  
14 way we can start at 9. If you -- every once in a while in metro  
15 Atlanta, believe it or not, there are traffic problems. If you  
16 run into one of those traffic problems, there's a number in that  
17 jury room you need to write down tonight and you need to call us.  
18 If you don't call us and at 9 o'clock you're not back there, we  
19 can only think the worst, and we then have to contact the Marshals  
20 and say, Juror Steve Jones, it's five after nine, he's not here,  
21 find out why. Call us. Okay?

22 Anything that comes up, you'll let one of the CSOs know,  
23 and they'll let me know. The lawyers can't answer questions for  
24 you. The only person you can confer with if you have a question  
25 is the CSO. The CSO is not going to answer the question. If

1 you'll give the question to the CSO, they'll direct it to me, and  
2 I'll respond back to you as quick as possible. Okay.

3 Any questions about anything? All right.

4 Then y'all can be adjourned for today, and I will see  
5 y'all in the morning at 9 o'clock. Thank you.

6 Hold on, hold on. Take the mask off.

7 A JUROR: Do we call Monday through Friday?

8 THE COURT: Monday through Friday, 9 to 5.

9 We estimate three weeks. Good question. You need to  
10 let employers know, the estimate is three weeks, and today is  
11 March 9. So somewhere around the 31st or the 1st we might be  
12 finished. I'm not going to guarantee it's going to be done in  
13 three weeks. I'm not guaranteeing it's going to take three weeks.  
14 I'm just trying to give you an estimate so you can arrange your  
15 life for the next three weeks. Everybody has a life. So you need  
16 to go back and tell your family. And if you have certain things  
17 you have to do in the afternoon, you better have somebody start  
18 doing it. We don't meet on Saturday and Sunday. All right? But  
19 for the next three weeks, you need to arrange your life Monday  
20 through Friday to be here. Good question.

21 Any other questions? All right. Thank you. Show them  
22 how to get out and get back.

23 (Jury is excused at 5:46 p.m.)

24 THE COURT: There's one issue I was going to talk to you  
25 about today, but because of the lateness of the day I won't get



1 into it.

2           As far as witness Elvin R. Mitchell, there is an issue  
3 that came up that I did not rule on regarding the attempted  
4 impeachment of him if he is called as a witness. I think the  
5 government opposed questioning him or attempting to question him  
6 about any civil matters. And I think the defense had  
7 certain -- the defense's position was that at this time they  
8 really couldn't say anything more about how they were going to  
9 proceed. And I'm not trying to ask you-all now how you are going  
10 to proceed if he is called as a witness. What I'm trying to do is  
11 give you some direction on what I will allow and not allow. I  
12 don't know when he's going to be called. Again, it's already 5:45  
13 and you-all already had a full day, but before he is called as a  
14 witness -- if he's your first witness, then we probably should  
15 talk about it right now. But before he's called as a witness, I  
16 need to tell y'all how I view, in particular, the defense on  
17 cross-examination, what I'm planning on allowing and what I'm not  
18 planning on allowing. But I couldn't really answer that from the  
19 motion that was made by the government because, you know, the  
20 defense made a good point. Y'all were arguing, I think, something  
21 along the lines, at this point, Judge, we can't really say what  
22 we're going to do, and the government is not specific enough.  
23 Well, we're reaching that point now where if you -- I always like  
24 to let the lawyers know up front before a witness takes the stand  
25 what I'm going to allow or not so we don't have a situation like

1 this.

2           So don't talk about any of those things that came up in  
3 that motion in your opening statements until y'all -- and we may  
4 not be able to resolve it until he takes the stand. If that's  
5 your wish, we'll proceed that way. But again, the government  
6 raised the issue about certain things they thought would be  
7 improper impeachment questions, and y'all had every right to say,  
8 Judge, at this time we don't want to get into this.

9           MR. FINDLING: And I'll just say, too, that -- two  
10 responses that I think impact one another.

11           One, we did resolve an issue from the pretrial  
12 conference. I think I asked for a witness list for the following  
13 day, and Mr. Davis said that we would resolve that. We did, in  
14 fact, that evening resolve that.

15           THE COURT: Good.

16           MR. FINDLING: So the agreement is the government will  
17 give us each day the next day's witness list. If we elect to put  
18 up witnesses, we will in like fashion do the same.

19           THE COURT: All right.

20           MR. FINDLING: Second, at the appropriate time, we will  
21 address that. I can say that -- as you can, I'm sure, fathom,  
22 there's been so much discovery since that motion was filed, that  
23 we have reformulated our response countless times and we just need  
24 to -- when we have appropriate notice from the government -- think  
25 about how we're going to address that. Literally, we're in a

1 different world than we were.

2 THE COURT: Good. That's good news to me. And excuse  
3 me, I cut you off.

4 MR. FINDLING: No, no. It's completely different -- at  
5 this point, we've seen a lot more since then and have reformulated  
6 our approach. But I think you can probably imagine, we've added  
7 to our approach. We haven't edited our approach.

8 THE COURT: I've tried enough cases where I kind of  
9 figured that point out.

10 But again, my main concern is that I like for you and  
11 Mr. Davis to know somewhat -- I can't be specific, because I don't  
12 know exactly what you're going to ask, and I'm not asking you what  
13 you're going to ask, but I need to give you-all some idea of what  
14 I'm thinking so we won't have one of these situations I'm going to  
15 be sending the jury out -- no, Mr. Davis. You jump up and say I  
16 object to that, and then you say, no, that's not right. And then  
17 I send the jury out, and then we do two questions and Mr. Davis  
18 jumps in again. I don't want that. I want y'all to accept -- I  
19 want to say, do you agree or do you disagree? Here's what I'm  
20 going to allow and here's what I'm not going to allow so we don't  
21 get into that.

22 I anticipate that particular witness is going to take a  
23 while, and so I don't want to have a situation where I'm sending  
24 the jury out seven times within one hour.

25 MR. FINDLING: That's incredibly appreciated by the

1 defense.

2 THE COURT: So at the appropriate time, I may try to  
3 give y'all some idea through a written order tonight. But at the  
4 appropriate time when y'all think you want to talk about it some  
5 more, let me know and I'll deal with it then.

6 MR. DAVIS: Thank you, sir.

7 MR. FINDLING: Thank you.

8 THE COURT: If there is nothing else, have a good  
9 evening. I'll see you tomorrow morning at 9.

10 THE DEPUTY CLERK: All rise. This Court will stand in  
11 recess until 9 o'clock tomorrow morning.

12 (The trial concluded at 5:50 p.m.)

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## C E R T I F I C A T E

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA

I do hereby certify that the foregoing pages are a true and correct transcript of the proceedings taken down by me in the case aforesaid.

This the 9th day of March, 2022.

/s/Viola S. Zborowski  
VIOLA S. ZBOROWSKI,  
RDR, FAPR, CMR, CRR, RPR, CRC  
OFFICIAL COURT REPORTER TO  
THE HONORABLE STEVE C. JONES